

Illinois Register

Rules of Governmental Agencies

Volume 22, Issue 37—September 11, 1998

Pages 16,091 - 16,390

Index Department Administrative Code Div. 111 East Monroe Street Springfield, IL 62756 (217) 782-7017 http://www.sos.state.il.us



published by George H. Ryan Secretary of State



Printed on recycled paper

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Editor's Note: The Cumulative Index and Sections Affected Index will be
printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:
April 17, 1998 - Issue 16: Through March 31, 1998
July 17, 1998 - Issue 29: Through June 30, 1998
October 16, 1998 - Issue 42: Through September 30, 1998 January 15, 1999 - Issue 3: Through December 31, 1998 (Annual)
January In. 1999 - ISSUE (* Through December (I. 1998 (Annual)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

- Heading of the Part: Uniform System of Accounts for Electric Utilities 1
- Code Citation: 83 Ill. Adm. Code 415 2)
- Section Numbers: 3)
- Proposed Action: Amendment
 - 415.10 415.20
 - Repeal
- Statutory Authority: Implementing Sections 5-102 and 5-103 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, 4)
- A Complete Description of the Subjects and Issues Involved: 18 CFR 101 as of April 1, 1998 includes changes adopted by the Federal Energy Regulatory Commission in its Order No. 598 issued February 5, 1998 to be effective the utilities to maintain a written listing of units of property and to apply the listing consistently. The Order allows the utilities to have the opportunity to identify and maintain their own property listings that are up to date and more in harmony with the needs of their businesses. In 101 to change the allowing the utilities to maintain their own listing of units of property, 18 CFR 116, Units of Property for Use in Accounting for Additions and The Order requires Order No. 598 amended 18 CFR for property units listings. Retirements of Electric Plant, was eliminated. March 13, 1998. requirements (2
- these proposed Amendments replace emergency Amendments currently in effect? No Will (9
- Does this rulemaking contain an automatic repeal date? 1)
- Do these proposed amendments contain incorporations by reference? Yes 8
- Are there any other proposed amendments pending on this Part? 6
- Statement of Statewide Policy Objectives: These amendments neither create school of local government, State mandate on units districts, or community college districts. nor expand any 10)
- in which interested persons may comment on this proposed rulemaking: Comments should be filed with: Manner Place and Time, 11)

Donna M. Caton

Chief Clerk

Illinois Commerce Commission 527 East Capitol Avenue

P.O. Box 19280

62794-9280 Springfield IL (217)782-7434 Charl

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ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

the days after Comments should be filed with the Chief Clerk within 45 date of this issue of the Illinois Register.

Initial Regulatory Flexibility Analysis: 12)

- Types of small businesses, small municipalities and not for profit corporations affected: These proposed amendments will affect any electric utilities that are also small businesses as defined in the Illinois Administrative Procedure Act. A)
- compliance: Reporting, bookkeeping or other procedures required for Bookkeeping procedures B)
- skills necessary for compliance: Accounting Types of professional skills Ω
- amendments were not included in either of the two most recent agendas because: The Commission did not foresee the need for this. Regulatory Agenda on which this rulemaking was summarized: 13)

The full text of the Proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENT

CHAPTER I: ILLINOIS COMMERCE COMMISSION SUBCHAPTER C: ELECTRIC UTILITIES TITLE 83: PUBLIC UTILITIES

PART 415

UNIFORM SYSTEM OF ACCOUNTS FOR ELECTRIC UTILITIES

GENERAL PROVISIONS AND ADOPTION OF CFR PROVISIONS BY REFERENCE SUBPART A:

Adoption of 18 CFR 101 by Reference Adoption of 18 CFR 116 by Reference (Repealed) Section 415.10 415.20

SUBPART B: ADDITIONS TO AND DELETIONS FROM CFR PROVISIONS

Definitions 415.200 Section

Instruction 7 (Repealed) General Instruction 1 General Instruction 5 General 415.210 115.250 415.270

7.1 (Repealed) Instruction 12 (Repealed) Instruction General General 415.330 115.280

Instruction 18 Instruction 13 Instruction 17 General General General 415.340 415.380 115.390

Electric Plant Instruction 2 (Repealed) Electric Plant Instruction General Instruction 20 General Instruction 21 415.430 415.410 115.420 415.411

Electric Plant Instruction 5 (Repealed) Electric Plant Instruction 10 Electric Plant Instruction 415.450 415.470 415.500

Operation and Maintenance Expense Chart of Accounts Income Chart of Accounts Account 102 (Repealed) 415.1020 415.940 415.970

Accounts 201, 202, 203, and 204 Account 108 (Repealed) Account 415.1050 415.2010

Account 207 Account Account Account 415.2070 415.2140 415.4118

426.1 Account Account Account 415.4119 415.4160 415.4261 415.4390

518

415.5180

Account Account

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NOTICE OF PROPOSED AMENDMENT

Accounts 914 and 915 415.9140

Account 930.2 415.9302 Operation and Maintenance Expense Accounts APPENDIX G

Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103 and 10-101]. and authorized by Implementing Sections 5-102 and 5-103 Accounts 914 and 915 EXHIBIT A AUTHORITY:

amended at 9 Ill. Reg. 4016, effective April 1, 1985; amended at 9 Ill. Reg. 13079, effective August 15, 1985; amended at 12 Ill. Reg. 11710, effective July 15, 1988; amended at 18 Ill. Reg. 10692, effective July 1, 1994; amended at 18 1, 1984; effective Reg. 17996, effective December 15, 1994; amended at 22 Ill, Reg. 6647, SOURCE: Adopted July 14, 1960, effective January 1, 1962; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 160, effective January effective April 1, 1998; amended at 22 Ill. Reg.

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF CFR PROVISIONS BY REFERENCE

Section 415.10 Adoption of 18 CFR 101 by Reference

1, 1998 February-117-1997, as its uniform system of accounts for electric utilities, subject to the exceptions set forth in Section 415.200 et seq. of The Illinois Commerce Commission ("Commission") adopts 18 CFR 101, as of April includes any later amendment No incorporation in this Part utilities, this Part. edition.

effective Reg. 111. 22 at (Source: Amended

Section 415.20 Adoption of 18 CFR 116 by Reference (Repealed)

tts-prescription-of-units-of-property-for-use-in-accounting--for--additions--to Phe-Illinois-Commerce-Commission-adopts-18-CFR-1167-as-of-February-117-19977-as and--retirements-of-electric-plant---No-incorporation-in-this-Part-includes-any tater-amendment-or-edition-

effective 111. 22 at (Source: Repealed

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

- Heading of the Part: Uniform System of Accounts for Gas Utilities
- Code Citation: 83 Ill. Adm. Code 505

3)

- Section Numbers: Proposed Action: 505.10 Amendment 505.20 Repeal
- 4) Statutory Authority: Implementing Sections 5-102 and 5-103 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101].
- A Complete Description of the Subjects and Issues Involved: 18 CFR 201 as of April 1, 1998 includes changes adopted by the Federal Energy Regulatory Commission in its Order No. 598 issued February 5, 1998 to be effective March 13, 1998. Order No. 598 amended 18 CFR 201 to change the requirements for property units listings. The Order requires the utilities to maintain a written listing of units of property and to apply the listing consistently. The Order allows the utilities to have the opportunity to identify and maintain their own property listings that are up to date and more in harmony with the needs of their businesses. In allowing the utilities to maintain their own listing of units of property 18 CFR 216, Units of Property for Use in Accounting for Additions and Retirements of Gas Plant, was eliminated.
- 6) Will these proposed Amendments replace emergency Amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? Yes
- 9) Are there any other proposed amendments pending on this Part? No
- 10) <u>Statement of Statewide Policy Objectives</u>: These amendments neither create nor expand any State mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed with:

Donna M. Caton Chief Clerk Illinois Commerce Commission

527 East Capitol Avenue

P.O. Box 19280

Springfield IL 62794-9280 217-782-7434 Charle

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NOTICE OF PROPOSED AMENDMENT

Comments should be filed with the Chief Clerk within 45 days after the date of this issue of the $Illinois\ Register$.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: These proposed amendments will affect any gas utilities that are also small businesses as defined in the Illinois Administrative Procedure Act.

B) Reporting, bookkeeping or other procedures required for compliance: Bookkeeping procedures

C) Types of professional skills necessary for compliance: Accounting skills

13) Regulatory Agenda on which this rulemaking was summarized: These amendments were not included in either of the two most recent agendas because: The Commission did not foresee the need for this.

The full text of the Proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENT

Accounts 201, 202, 203, and 204

409 (Reserved) (Repealed)

426.1

439

505.4390

481

Account

416

Account

352.3

214 242

Account Account Account Account Account Account

505.2420

505.2070 505.2110 505.2140 505.3523 505.4090 505.4160 505.4261 505.4810

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

CHAPTER I: ILLINOIS COMMERCE COMMISSION SUBCHAPTER d: GAS UTILITIES TITLE 83: PUBLIC UTILITIES

PART 505

UNIFORM SYSTEM OF ACCOUNTS FOR GAS UTILITIES

Adoption of 18 CFR 201 by Reference Adoption of 18 CFR 216 by Reference (Repealed) Section 505.10 505.20

SUBPART B: ADDITIONS TO AND DELETIONS FROM CFR PROVISIONS

Operation and Maintenance Expense Chart of Accounts Instruction 7.1 (Repealed) Gas Plant Instruction 2 (Repealed) Gas Plant Instruction 5 (Repealed) Instruction 7 (Repealed) Balance Sheet Chart of Accounts Gas Plant Instruction 10 Gas Plant Instruction 15 Income Chart of Accounts Gas Plant Instruction 3 General Instruction 16 General Instruction 18 General Instruction 20 Instruction 12 Instruction 13 General Instruction 17 Account 102 (Repealed) Gas Plant Instruction General Instruction 1 General Instruction 5 Definitions General General General General 505.1020 505.940 505.210 505.250 505.330 505.340 505.410 505.430 505.450 505.470 505.500 505.550 505.900 505.270 505.280 505.370 505.380 505.390 505,420

Account 103 505.1030

Account 105.1 Account 105 505.1050 505.1051

108 (Repealed) 164.1 Account Account Account Account 505.1080 505.1170 505.1642 505.1641

Account Account Account 505.1643 505.1740

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF CFR PROVISIONS BY REFERENCE

Operation and Maintenance Expense Accounts EXHIBIT A Accounts 914 and 915 Accounts 914 and 915 808.1 845.6 Account 930.2 808.2 491 495 802 908 813 823 854 Account 858 Account APPENDIX G 505.4910 505.8580 505.4950 505.8050 505.8060 505.8081 505.8082 505.8130 505.8230 505.8456 505.8540 505.9140 505.9302

AUTHORITY: Implementing Sections 5-102 and 5-103 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101].

amended at 9 Ill. Reg. 4022, effective April 1, 1985; amended at 9 Ill. Reg. 13083, effective August 15, 1985; amended at 13 Ill. Reg. 10858, effective July 1, 1989; amended at 14 Ill. Reg. 1605, effective January 16, 1990; amended at new rules adopted and codified at 8 Ill. Reg. 177, effective January 1, 1984; SOURCE: Adopted July 14, 1960, effective January 1, 1962; old rules repealed, Reg. 10701, effective July 1, 1994; amended at 22 Ill. Reg. 9543, effective June 1, 1998; amended at 22 Ill. Reg.

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF CFR PROVISIONS BY REFERENCE

Section 505.10 Adoption of 18 CFR 201 by Reference

February-117-1997, as its uniform system of accounts for gas utilities, subject The Illinois Commerce Commission adopts 18 CFR 201, as of April 1, 1998 No incorporation to the exceptions set forth in Subpart B of this Part. this Part includes any later amendment or edition.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

effective Reg. 111. 22 at (Source: Amended

Section 505.20 Adoption of 18 CFR 216 by Reference (Repealed)

The Illinois-Commerce-Commission-adopts-18-CPR-2167-as-of-Pebruary-li7-19977-as its-prescription-of-units-of-property-for-use-in-accounting--for--additions--to and--retirements--of--gas--piant;--No--incorporation-of-18-CFR-216-in-this-Part includes-any-later-amendment-or-edition.

effective Reg. 111. 22 at (Source: Repealed

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DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

- Heading of the Part: Authorized Absences 7
- 20 Ill. Adm. Code 530 Code Citation: 5)

3)

Action:																																			
Proposed	Amend	Add	Add	Amend	Amend	Amend	Amend	Amend	Add	Add	Amend	Amend	Amend	Amend	Add	Add	Amend	Add	Amend	Amend	Add	Amend	Amend	Amend	Amend	Add	776								
Numbers:																																			
Section	.10	.12	.15	.20	.40	.50	09.	001.	.102	.105	011.	.120	0:130	002.0	0.202	0.205	0.210	0.215	0.220	0.300	0.305	0.310	0.320	0.330	0.340	0.400	0.402	0.405	0.410	0.420	0.430	0.500	0.502	0.505	011

Statutory Authority: Implementing Sections 3-9-3, 3-9-4, and 3-11-1 and Ch. III, Art. 13 and authorized by Section 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-7-1, 3-9-3, 3-9-4, 3-11-1, and Ch. III, Art. 4)

A Complete Description of the Subjects and Issues Involved: Statutory citations are being updated; definitions are being added for clarity; a 2)

Car

NOTICE OF PROPOSED AMENDMENTS

for The or for persons to be designated to perform specific duties; and language is being updated to include non-gender specific Guidelines for considering eligibility for furloughs has been days Furloughs have been updated to provide for extensions with the Director's approval and maximum per week time limits for independent release time has been for independent release time have been clarified. The leave criteria has duties to be prior to mandatory supervised release to be granted furloughs to seek increase the maximum furlough limit to 14 days as authorized by statute. The restrictions been updated to provide for leaves up to 72 hours and to require committed to return to the center for a minimum of 24 hours prior to guidelines for day release and authorized absences in the Juvenile to state the for clarity. Eligibility requirements have been clarified. housing or employment has been eliminated. Day release procedures specific inmates assigned to work camps has been updated. Furloughs Sections have been added to provide for critical illness restriction which allowed only committed persons who were within 30 Additionally, the provision for unescorted furloughs has been added. for additional leave time. Subparts E and F have been added funeral furloughs in the Community Services Division. Section is being added to provide blanket authority housing or employment has been eliminated. the rule Language. deleted. Division.

- Will this rulemaking replace any emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? 1
- 10) <u>Statement of Statewide Policy Objectives</u>: This rulemaking does not create or expand any State Mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments during the 45-day First Notice Period which commences on the issue date of this publication of the Illinois Register to:

Patricia Lubben, Manager
Policy and Directive Unit
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
217/522-2666, extension 6512

All written comments received after 45 days from the date of this publication will be considered, time permitting.

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DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

Initial Regulatory Flexibility Analysis:

12)

- A) Types of of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance:
 None
- C) Types of professional skills necessary for compliance: None
- 13) Requlatory Agenda on which this rulemaking was summarized: This rulemaking was not include on either of the 2 most recent agendas because: it was on the July 1997 agenda and proposal was anticipated to occur prior to July 1998, so it was not repeated.

The full text of the Proposed Amendment begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT CHAPTER I: DEPARTMENT OF CORRECTIONS SUBCHAPTER e: OPERATIONS TITLE 20:

AUTHORIZED ABSENCES PART 530

SUBPART A: FURLOUGHS

Furloughs to Seek Employment or Secure Housing Furloughs for Home and Family Visitation Critical Illness or Funeral Furloughs Authorization of Furloughs Medical Furloughs Responsibilities Applicability Definitions Section 530.15 530.30 530.50 530.12 530.10

SUBPART B: DAY RELEASE - ADULT

Eligibility for Day Release Granting of Day Release Responsibilities Applicability Definitions 530.102 530.105 530.110 530.120 530.100 Section

SUBPART C: INDEPENDENT RELEASE TIME

Limitations of Day Release

30.130

Granting of Independent Release Time Critical Illness or Funeral Releases Responsibilities Applicability Restrictions Definitions 530.202 530.205 530.210 530.200 530.215 Section 530.220

SUBPART D: COMMUNITY CORRECTIONAL CENTER LEAVES

Verification of Leave Activity Definitions Definition Responsibilities Leave Criteria Applicability 530,305 530.320 530.340 530,300 530.330 Section

Host Acceptance

DEPARTMENT OF CORRECTIONS

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NOTICE OF PROPOSED AMENDMENTS

SUBPART E: DAY RELEASE - JUVENILE

Eligibility for Day Release Limitations of Day Release Granting of Day Release Responsibilities Applicability Definitions 530.405 530.420 530.400 530.402

Section

SUBPART F: AUTHORIZED ABSENCES

Granting of Authorized Absence Responsibilities Applicability Definitions 530.500 530.505 530,510 Section 530.502

AUTHORITY: Implementing Sections 3-9-3, 3-9-4, and 3-11-1 and Ch. III, Art. 13 and authorized by Section 3-7-1 of the Unified Code of Corrections [730 ILCS 3-9-3, 3-9-4, 3-11-1, and Ch. III, Art. 13].

SOURCE: Adopted at 8 Ill. Reg. 14389, effective August 1, 1984; amended at , effective Ill. Reg.

22

SUBPART A: FURLOUGHS

Section 530.10 Applicability

This Subpart applies to the Adult Division of the Department of Corrections.

Section 530.12 Definitions

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

effective Reg. 111. 22 at Added (Source:

Section 530.15 Responsibilities

another person or persons or designate another person or persons to or Chief Administrative Officer may delegate responsibilities stated in this Subpart Unless otherwise specified, the Director a)

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NOTICE OF PROPOSED AMENDMENTS

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No other individual may routinely perform duties whenever a Section in Subpart specifically states the Director or Chief Administrative Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence this Subpart specifically states the Director or Chief Administrat. Officer shall personally perform the duties. However, the Director or in an emergency. 9

effective	
Reg.	
111.	
22	-
at	
Added	
(Source:	

Section 530.20 Authorization of Furloughs

- furloughs for selected committed persons for designated periods of time and purposes in accordance with $\underline{Section}\ 3\text{-}11\text{-}1\ of\ the\ Unified}$ Code of Corrections [730 ILCS 5/3-11-1] State-law. However, committed The Chief Administrative Officer or -- his -- designee may authorize treatment shall only be eligible for escorted medical, critical illness, or persons confined in Department facilities for psychiatric funeral furloughs. a)
- furlough, the Chief Administrative Officer shall consider factors such a furlough, In determining whether to authorize Q

Criminal history;

- Record of social stability while in the community;
- Disciplinary record and institutional adjustment;
- Previous actions by the Prisoner Review Board; Evidence of alcoholism or drug addiction;
- Educational, program, and vocational accomplishments and future ココヨキョョョ
- outstanding unauthorized absences, and escapes, οĘ History 7
 - warrants or detainers;
- Recommendations of Department personnel; and Availability of staff;
- Any other pertinent information. 8) 10)

effective Reg. 111. 22 at Amended (Source:

Section 530.40 Medical Furloughs

- A medical furlough shall be granted as recommended by a Department or the Department's Medical Director and approved by the Chief Administrative Officer. physician a)
 - Continuous supervision shall be required by a correctional facility employee except in cases where the committed person is classified as minimum security without supervision. (q
 - impose additional Or Nothing herein shall be construed to prevent o

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DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

requirements on removal of a committed person from an institution or for medical care or treatment under Section 3-6-2(f) of facility for medical care or treatment under Sect Unified Code of Corrections [730 ILCS 5/3-6-2(f)].

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111.	
22	
at	
Amended	
Source:	

Section 530.50 Furloughs to Seek Employment or Secure Housing

- or--has--been--granted--a--parote may be granted a furlough to make A committed person who-is-within-30-days-of-his-mandatory-release-date contacts for seek employment and to secure suitable housing prior release on parole, mandatory supervised release, or discharge. a)
 - In--determining--whether--or--not--to--authorize-a-furloughy-the-Chief Administrative-Officer-shall-considery-among-other-matters: ţq.
 - Record-of-social-stability-while-in-the-community; Criminal-history, #
 - Disciptinary-record-and-institutional-adjustment>
- Previous-actions-by-the-Prisoner-Review-Board;
- Bytdence-of-atcoholism-or-drug-addiction;
- Educationaly-program-and-vocational--accomplishments--and--future 4040
- History--of--escapes,-unauthorized-absences,-outstanding-warrants goalst 4
- Availability-of-staff;-and or-detainers, ŧθ
 - Any-other-pertinent-information:
- Class 1 felony or who have been adjudged a habitual offender or who have been determined to be involved in large-scale organized crime Committed persons who are serving a sentence for murder or Class X or shall be granted furloughs only upon the approval of the Administrative Officer and the Director or-his-designee. (pg
- by an institutional employee and without supervision approved by the Chief Administrative Officer. Committed persons shall be escorted unless classified as minimum security Cg C
- and housing furloughs shall not exceed time parameters as outlined in a prior written schedule for the specific activity. Employment de)
- Prior to the furlough, the committed person and his or her counselor establish a written plan outlining a specific schedule and action to be taken in seeking employment or securing housing. ef)

effective	
Reg.	
111.	
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at	
Amended	
(Source:	

Section 530.60 Purloughs for Home and Family Visitation

A committed person who is within six months of his or her parole eligibility or release date may be granted a furlough to make home and family visits. If parole is denied, the committed person shall not be a)

NOTICE OF PROPOSED AMENDMENTS

eligible for a furlough until he or she is within six months of his or her next hearing date before the Prisoner Review Board.

- Provisions of <u>subsection</u> Paragraphs (b) and-{e} of Section 530.50 shall also apply to home and family furloughs.

 The home and family furlough shall not exceed 14 three days,-excluding Q
 - ô
- Prior to the furlough, the committed person and his or her counselor shall establish a written plan outlining a specific schedule and activities during the visit. ф
- Committed persons who receive approval for a home and family furlough must designate an escort who shall be required to sign a statement accepting responsibility for the committed person while on furlough. Approval of the escort shall be based upon an interview conducted by a Department employee. No person other than the approved escort will be allowed to pick up the committed person without the approval of the Chief Administrative Officer. If unescorted, the activities of committed person shall be spot checked. e

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SUBPART B: DAY RELEASE - ADULT

Section 530.100 Applicability

This Subpart applies to the Adult Division of the Department of Corrections.

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at	
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(Source:	-

Section 530.102 Definitions

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

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Section 530.105 Responsibilities

Officer may delegate responsibilities stated in this Subpart to Unless otherwise specified, the Director or Chief Administrative another person or persons or designate another person or persons perform the duties specified. a

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this Subpart specifically states the Director or Chief Administrative Officer shall personally perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence No other individual may routinely perform duties whenever a Section in or in an emergency. Q

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(Source:	

Section 530.110 Granting of Day Release

selected committed persons to leave their places of confinement for purposes of work, attending educational or vocational programs, or obtaining medical or \underline{ox} psychological treatment, or \underline{fox} other purposes directly related to departmental The Chief Administrative Officer or--his--designee may grant approval programs.

effective Reg. 111. 22 at (Source: Amended

Section 530.120 Eligibility for Day Release

- to participate in day release programs shall be submitted to recommendation -- to -- the Assignment Officer Committee. The committed person must be in "A" grade in order to participate in day release for purposes of work, educational, vocational, or recreational programs, the committed-personis-counselory-who-shall-refer-the-request-and--his unless otherwise approved by the Director. Requests a)
- the Assignment Officer Committee shall consider factors such as7-among In determining the eligibility of a committed person for day release, other-matters,-the-following: (q
- Criminal history; 7
- Record of social stability while in the community;
 - Disciplinary record and institutional adjustment;
 - Previous actions by the Prisoner Review Board;
- Educational, program, and vocational accomplishments and future Evidence of alcoholism or drug addiction; 65 430

qoals;

- outstanding unauthorized absences, and of escapes, warrants or detainers; History 7)

Recommendations of Department personnel; and 8) Availability of staff; and 9) Recommendations of Department pers 109) Any other pertinent information.

Administrative Officer. Medical day releases shall be recommended by a Department physician or the Department's Medical Director. who-shall to the Chief The Assignment <u>Officer Committee</u> shall submit a recommendation <u>on all</u> releases medical except requests release Û

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approve-or-deny-the-requestr d) The Chief Administrative Officer shall approve or deny all day release requests. ed) Committed persons except those assigned to work camps who are serving a sentence for murder, a Class X or Class 1 felony, armed violence, forcible detention, aggravated incest, arson, or incest, or committed persons who have been adjudged habitual criminals or who have been determined to have been involved in large-scale organized crime shall be eligible for participation in day release programs only upon the approval of the Chief Administrative Officer and the Director or-his	"Department" means the Department of Corrections. "Director" means the Director of the Department of Corrections. "Relative" means a spouse, child, parent, grandparent, brother, sister, or primary parent figure. This includes step, adoptive, and foster relatives.
<pre>(Source: Amended at 22 Ill. Reg, effective</pre>	(Source: Added at 22 Ill. Reg, effective, Section 530.205 Responsibilities
on 530.130 on 530.200 estable factiti factiti factiti factiti factiti factiti persor direct direct direct cd) Commit shall author author author on 530.200	bities stated in this Sissipate another person or perform duties whenever a the Director or Chief Admil tods of his or her tempora is a time per-week for a community activities may grant apprime time per-week for a confidence of the per-week for a community activities may be the community activities may be the community activities may be the shall be determined by the trenerally be less-than
This Subpart applies to the Community Services Division of the Department of	(Source: Amended at 22 Ill. Reg, effective

committed persons to visit critically ill relatives or to attend funeral services of relatives. Verification of the critical illness or death shall be obtained prior to authorization of the release.

The Chief Administrative Officer may grant reasonable release time

a)

"Chief Administrative Officer" means the highest ranking official of a

Section 530.215 Critical Illness or Funeral Releases

effective

Reg.

111.

22

at

(Source: Amended

Corrections.

Section 530.202 Definitions

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- Committed persons may be allowed to visit the funeral home, attend the funeral services, or attend a grave side ceremony. a
- illness or funeral releases may be escorted or unescorted as and the availability of staff shall In making person's compliance with his or her Individual Program Contract committed determined by the Chief Administrative Officer. the such as factors disciplinary history, determination, considered. 0
- be responsible for paying or reimbursing the facility for the expenses The committed person or a designated party outside the facility shall of the employee's time and the cost the committed person and transportation, if any. g

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Added	
(Source:	

Section 530.220 Restrictions

- to visit establishments or engage in activities whose primary purpose persons shall not be approved for independent release time is to serve or sell alcoholic beverages or illegal drugs. Committed a)
- Committed persons shall be prohibited from using alcoholic beverages. When-there--is--documented--evidence--of-prior-alcoholic-abuser-total a to
 - abstinence-from-alcoholic-beverages-while-on-independent-release--time shałł--be--a--condition--of--the-committed-person-s-individual-program contract-

Ill. Reg.
22
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SUBPART D: COMMUNITY CORRECTIONAL CENTER LEAVES

Section 530.300 Applicability

This Subpart applies to the Community Services Division of the Department of Corrections.

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(Source:	

Section 530.305 Responsibilities

- specified, the Director, Chief Administrative this Subpart to another person or persons or designate another person Officer, or Superintendent may delegate responsibilities stated or persons to perform the duties specified. otherwise a
 - No other individual may routinely perform duties whenever a Section in Subpart specifically states the Director, Chief Administrative this q

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Officer, or Superintendent shall personally perform the duties. However, the Director, Chief Administrative Officer, or Superintendent may designate another person or persons to perform the duties periods of his or her temporary absence or in an emergency.

effective Reg. 111. 22 at (Source: Added

Section 530.310 Definitions Definition

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Department" means the Department of Corrections

"Director" means the Director of the Department of Corrections.

"Relative"-means-a-spouse,-child,-parent,-grandparent,-brother,-sister or-primary-parental-figure:--This-includes-step,--adopted--and--foster retatives

effective Reg. 111. 22 at (Source: Amended

Section 530.320 Leave Criteria

- 20-Ill.-Adm.-Code-455.--beaves-of-three-days-or-less--may--be--granted (IPC may be eligible for up to a 72 hour hes-been reintegrate the committed person prior to release. in-accordance-with A committed person who is in compliance with his or her Individual promoted-to-bevel-HHI-or-above--may--apply--for--a leave to further Program Contract a
- Visit--family--members-or-others-at-homey-to-visit-critically-ill relatives-or-to-attend-a-relative-s-funeral-#
 - Obtain-medicaly-psychiatric-or-psychological-services:
- Appear-before-educational-panels, -study-groups--or--other--groups £ + £

regarding-crime-or-criminality;

- A--committed--person--who-has-been-promoted-to-bevel-IV7-who-is-within sixty-days-of-his-mandatory-supervised-release-or--parole--eligibility date--and-who-is-free-of-any-disciplinary-restriction-may-apply-for-an extended-home-and-family-leave-of-up-to-l4-daysţ,
- An-application-for-a-home-and-family-leave-shall-be-submitted--to--the committed -- personis -- correctional -- counselor - at-least-15 - days - prior - to the-proposed-leave-date; to
 - committed the All leave expenses are the sole responsibility of person.) Pg
- A committed person's employment, andfor school attendance, or other programming shall not be disrupted by a leave without prior approval (ee)

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by the correctional-counselor-and-the Chief Administrative Officer. df) Leaves are subject to the approval of the Chief Administrative Officer. A leave to an area outside of the State of Illinois shall be subject to the approval of the Director or-his-designee.	"Deputy Director" means the Deputy Director of the Juvenile Divisior of the Department. "Director" means the Director of the Department of Corrections.
(Source: Amended at 22 Ill. Reg, effective,	(Source: Added at 22 Ill. Reg, effective
Section 530.330 Verification of Leave Activity	Section 530.405 Responsibilities
Committed persons shall adhere to approved leave activity. Leave activity shall be subject to verification prior to authorization of the leave. Spot checks shall be used to verify leave activity and compliance with curfews. Verification-of-critical illness; death, medical-or-psychiatric recommendations for-in-or-out-patient-care; meetings-of-educational-or-other-groups-or-of-any other-activity-for-which-leave-is-sought-shall-be-obtained-priorto authorization-of-the-leave-	Administrative Officer may delegate responsibilities stated in this Subpart to another person or persons or designate another person or persons or designate another person or persons or persons to perform the duties specified. b) No other individual may routinely perform duties whenever a Section in this Subpart specifically states the Director, Deputy Director, or Chief Administrative Officer shall personally perform the duties.
(Source: Amended at 22 Ill. Reg, effective	may designate another person or persons teriods of his or her temporary absence or
Section 530.340 Host Acceptance	(Source: Added at 22 Ill. Reg, effective
Each host The designated host shall be provided with a copy of the leave agreement and be requested to verify in writing his acceptance as host for the committed person's leave(s). The host shall be required to agree to notify the	Section 530.410 Granting of Day Release
the leave agreement by the co-absence-of-a-written-acceptance	Selected committed persons may be granted approval to leave their places of confinement for purposes of work, attending to family needs, attending durational or mostional processing or modical or personal argument or
(Source: Amended at 22 Ill. Reg, effective	or vocational programs, or medical of psychological irposes directly related to departmental programs. subject to the approval of the Deputy Director.
SUBPART E: DAY RELEASE - JUVENILE	(Source: Added at 22 Ill. Reg, effective
Section 530.400 Applicability	Section 530.420 Eligibility for Day Release
to the Juvenile	a) Requests to participate in day release programs shall be submitted to
(Source: Added at 22 Ill. Reg. , effective	
Section 530.402 Definitions	The Union Administrative Unioer Shair Consider Such Lactors as: 1) Criminal history 2) Beneral of social trackility while in the community:
"Chief Administrative Officer" means the highest ranking official of a correctional facility.	
"Department" means the Department of Corrections.	5) Evidence of alcoholism of didg addiction; 6) Educational, program, and vocational accomplishments and future goals;

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7	History	of	escapes,	, unauthorized abs	ences	and	outstanding
	Warrante	or d	etainers:				

- Recommendations of Department personnel; and Availability of staff; <u>8</u>601
 - Any other pertinent information.
- Medical releases shall be granted by the Chief Administrative Officer as recommended by medical staff. ্য
 - deny all other or The Chief Administrative Officer shall approve ģ
 - effective Reg. 111. requests for day release. 22 at (Source: Added

Section 530.430 Limitations of Day Release

- Day release shall be limited only to the time that is determined by to be necessary for the committed or vocational programs, obtain required treatment, or complete activities directly person to complete his or her work, attend educational related to other programs of the Department. Chief Administrative Officer a
 - Day release shall not exceed a 24-hour period at any one time unless approved by the Director. a
- authorized by the Department or shall be released on a daily basis to Committed persons permitted to participate in day release programs shall be supervised by appropriate Department personnel or personnel the custody of the school, agency, or person approved by the Department for participation in the day release program or activity. Ö

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AUTHORIZED ABSENCES SUBPART F:

Section 530.500 Applicability

This Subpart applies to the Juvenile Division of the Department of Corrections.

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(Source:	

Section 530.502 Definitions

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Department" means the Department of Corrections.

"Deputy Director" means the Deputy Director of the Juvenile Division

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of the Department.

"Director" means the Director of the Department of Corrections.

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(Source:	

Section 530.505 Responsibilities

- Subpart to another person or persons or designate another person or Unless otherwise specified, the Director, Deputy Director, or Chief Administrative Officer may delegate responsibilities stated in this a
 - persons to perform the duties specified.

 No other individual may routinely perform duties whenever a Section in this Subpart specifically states the Director, Deputy Director, or Chief Administrative Officer shall personally perform the duties. However, the Director, Deputy Director, or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence or in an emergency. a

effective Reg. 111. 22 at Added (Source:

Section 530.510 Granting of Authorized Absence

- accordance with Section 3-9-4 of the Unified Code of Corrections authorized absence from the correctional center to any committed [730 ILCS 5/3-9-4], the Director or Deputy Director may grant person for any purpose approved by the Department. a)
- usually up to 30 days, and may be extended for additional 30-day Authorized absences shall be granted for a specific period of periods as approved by the Director or Deputy Director.
 - extension, the Director or Deputy Director may consider factors such as: In determining whether to grant an authorized absence 0
 - Criminal history;
 - Record of social stability while in the community; コココ
 - Disciplinary record and institutional adjustment; Previous actions by the Prisoner Review Board;
- Eyidence of alcoholism or drug addiction; Educational, program, and vocational accomplishments and future 433
 - outstanding History of escapes, unauthorized absences, and warrants or detainers; goals; 7
- The place of confinement and the persons who will have custody of the committed person; 8
 - Recommendations of Department personnel; and 101 101
 - Any other pertinent information.

- 2) Code Citation: 20 Ill. Adm. Code 106
- 3) <u>Section Numbers: Proposed Action:</u>
 106.10 Amend
 106.12 Add
 106.15 Add
 106.20 Amend
- 4) Statutory Authority: Implementing Sections 3-2-2 and 3-2-8 and authorized by Section 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-2-2, 3-2-8 nd 3-7-1].
- A Complete Description of the Subjects and Issues Involved: Statutory citations are being updated; definitions are being added to provide blanket authority for duties to be delegated or persons to be designated to perform specific duties; to be language is being updated to include non-gender specific language. Guidelines for requesting research are being updated to clarify the information required.
- 6) Will this rulemaking replace any emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- Statement of Statewide Policy Objectives: This rulemaking does not create or expand any State Mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments during the 45-day First Notice Period which commences on the issue date of this publication of the Illinois Register to:

Patricia Lubben, Manager
Policy and Directive Unit
Illinois Department of Corrections
1301 Concordia Court
P.O. Box 19277
Springfield, Illinois 62794-9277
Phone: (217) 522-2666, extension 6512

All written comments received after 45 days from the date of this publication will be considered, time permitting.

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Initial Regulatory Flexibility Analysis: 12)

- Types of small business, small municipalities and not for profit corporation affected: None A)
- for compliance: Reporting, bookkeeping or other procedures required B)
- C) Types of professional skills necessary for compliance: None
- Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The rulemaking was not anticipated. Regulatory 13)

The full text of the Proposed Amendment begins on the next page:

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CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT CHAPTER I: DEPARTMENT OF CORRECTIONS SUBCHAPTER a: ADMINISTRATION AND RULES TITLE 20:

PART 106 RESEARCH AND EVALUATION

Applicability Section 106.10

Definitions 106.12

Responsibilities 106.15

Criteria for Approval or Denial of Research Proposals Requirements for Submitting Research Proposals 106.20 106.30

Requirements for Conducting Research Projects 106.40 Sections 3-2-2 and 3-2-8 and authorized by Section AUTHORITY: Implementing Sections 3-2-2 and 3-2-8 and authorized by Section 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-2-2, 3-2-8 and 3-7-1]. SOURCE: Adopted at 8 Ill. Reg. 14594, effective August 1, 1984; amended at 10 Ill. Reg. 12574, effective August 1, 1986; amended at 13 Ill. Reg. 19437, effective January 1, 1990, amended at 22 Ill. Reg. ______, effective

Section 106.10 Applicability

This Part applies to all divisions and-bureaus of the Department and to any person or entity seeking to conduct a research or evaluation study within the Department of Corrections.

effective Reg. 111. 22 at (Source: Amended

Section 106.12 Definitions

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

effective Reg. 111. 22 at (Source: Added

Section 106.15 Responsibilities

the Director or Chief Administrative Officer may delegate responsibilities stated in this Part to another Unless otherwise specified, a)

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the duties specified.

No other individual may routinely perform duties whenever a Section in this Part specifically states the Director or Chief Administrative Officer and personally perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence or in an emergency.

(Source: Added at 22 Ill. Reg. _____, effective

Section 106.20 Requirements for Submitting Research Proposals

- a) Any request to conduct research or an evaluation study involving former or present committed persons or and/or employees, programs or facilities, whether originating inside or outside the Department of Gorrections-(Bepartment), shall be in writing and shall be submitted to the Director or his-designee for review and authorization.
 - b) The person or entity requesting the research or study shall provide the following written documentation prior to approval of the request:
 - 1) A formal research proposal including name(s) and vitae of the researcher(s); abstract of the project, including purpose, methodology, duration, the number of subjects, amount of time required for each subject, and dissemination plan; testing or measurement instrument; and Department resources to be utilized;
- Sources of funding, grants awarded, or descriptions detailing intentions to respond to official requests for proposals;
 - 3)27 Approval obtained from a Human Subjects Research Committee, where applicable;
- 4)34 A signed Research Agreement which shall contain a statement that any rights of privacy, informed consent, confidentiality and protection from harm are met in accordance with accepted professional and scientific ethics and that the requirements of any applicable Illinois and federal law or regulation have and will continue to be met; and
 - will continue to be met, and 5)4} Any other information deemed necessary to the authorization
- (Source: Amended at 22 Ill. Reg. _____, effective

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- NOTICE OF PROPOSED AMENDMENTS
- 1) Heading of the Part: Work Release Programs
- 2) Code Citation: 20 Ill. Adm. Code 455

3)

- Proposed Action: Repeal Amend Amend Amend Amend Amend Amend Amend Add Add Section Numbers: 455.10 455.15 455.20 455.30 455.40 455.50 455.55 455.60 155.70 155.80 155.90
- 4) Statutory Authority: Implementing Ch. III, Art. 13 and Ch. V, Art. 8A and authorized by Sections 3-2-1 and 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-2-1, 3-7-1, Ch. III, Art. 13, and Ch. V, Art. 8A].
- A Complete Description of the Subjects and Issues Involved: The title is being updated to describe the programs that are covered by this rulemaking; statutory citations are being updated; definitions are being added for clarity; a Section is being added to provide blanket authority for duties; and the rule language is being updated to perform specific duties; and the rule language is being updated to include non-gender specific language. General eligibility requirements for placement in a work release program have been updated based on statutory changes in offences and procedures for electronic detention placement. Programing requirements have been added and the level system, including privileges, has been updated. Section 455.70 is being amended to require more frequent staff reviews of the committed persons' progress. Current requirements for maintenance payments have been included.
- 6) Will this rulemaking replace any emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- Statement of Statewide Policy Objectives: This rulemaking does not create or expand any State Mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments

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during the 45-day First Notice Period which commences on the issue date of this publication of the $Illinois\ Register$ to:

Donald N. Snyder, Jr., Deputy Director Illinois Department of Corrections 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
(217) 522-2666, extension 2082

All written comments received after 45 days from the date of this publication will be considered, time permitting.

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance. None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included in either of the 2 most recent regulatory agendas because: It was on the July 1997 agenda; the agency anticipated it would be proposed prior to July 1, 1998.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF CORRECTIONS

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TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT CHAPTER I: DEPARTMENT OF CORRECTIONS SUBCHAPTER d: PROGRAMS AND SERVICES

PART 455 COMMUNITY PLACEMENT WORK-REBEASE-PROGRAMS

Section 455.10 Applicability

455.10 Applicability
455.15 Responsibilities

455.20 Definitions 455.30 Eligibility Criteria

55.30 Eligibility Crite 55.40 placement Procedu

455.40 Placement Procedures 455.50 Placement Exceptions

455.55 Programming 455.60 Level System for Work Release Residents

455.70 Staff Reviews

455.80 Level Privileges (Repealed)

455.90 Maintenance

AUTHORITY: Implementing Ch. III, Art. 13 and Ch. V, Art. 8A and authorized by Sections 3-2-1 and 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-2-1, 3-7-1, Ch. III, Art. 13, and Ch. V, Art. 8A].

SOURCE: Adopted and codified at 8 Ill. Reg. 14649, effective August 1, 1984; amended at 22 Ill. Reg.

Section 455.10 Applicability

This Part applies to the Adult and Community Services Divisions of the Department of Corrections.

(Source: Amended at 22 Ill. Reg. _____, effective

Section 455.15 Responsibilities

- a) Unless otherwise specified, the Director or Chief Administrative Officer may delegate responsibilities stated in this Part to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties whenever a Section in this Part specifically states the Director or Chief Administrative Officer shall perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties duting periods of his or her temporary absence or in an emergency.

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Section 455.20 Definitions

'Chief Administrative Officer" means the highest ranking official of a correctional facility.

'Community placement" means the placement in a community correctional center or on electronic detention.

'Department" means the Department of Corrections.

'Director" means the Director of the Department of Corrections.

a residence in the community under the terms and conditions of the Department whereby electronic monitoring devices are used to record or transmit such information as the committed person's presence at the "Electronic detention" means the confinement of a committed person to residence.

transferred to the Community Services Division and has been placed on "Electronic detention resident" means a committed person who has been electronic detention. committed person who has been transferred from an adult facility to a community correctional center "Permanent party resident" means a on a work assignment.

from an adult facility to a community correctional center prior to his or her release date for purposes authorized under <u>Section 3-13-2 of</u> the Unified Code of Corrections [730 ILCS 5/3-13-2] #14:--Rev:--Stat "Regular resident" means a committed person who has been transferred 1983,-ch:-38,-par;-1883-13-2.

effective Reg. 111. 22 (Source: Amended

Section 455.30 Eligibility Criteria

consideration for placement in the community a-community-correctional-center to Committed persons who meet the following criteria may submit a request for designated program staff.

- for work release placement in a community considered
- correctional center, the committed person shall must:

 1) Not be serving a sentence for a conviction for murder, first degree murder, any Class X felony, armed violence, attempted kidnapping, aggravated manslaughter, voluntary

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child, criminal sexual assault, aggravated criminal sexual abuse, forcible detention, or arson or not be a person adjudged as a habitual criminal. liberties with a indecent kidnapping,

- in involvement Not have any documented
- Not have any documented large scale narcotics trafficking.
- in a community correctional center as a months remaining Have no more than 2 years and no less than 2 regular resident, the committed person shall must: placement pre-release q
- Be in "A" grade (20 Ill. Adm. Code 504.130). prior to his or her release date.
- minimum with designated security classification of supervision or minimum.
- Have no outstanding warrants or detainers on file against-him. 4)
- Have no acute medical or dental problems requiring resolution prior to a transfer. 2
- Receive a positive assessment of risk and needs. (9
- Have no incidents of escape or escape attempts within the last
- segregation or loss of good time within the last 45 days prior to Not have received disciplinary action resulting in confinement his or her application for pre-release placement.
- placement in a community correctional center as a permanent party set from in subsections (a) and (b) of this Section as--a--permanent resident, the committed person shall in addition to the requirements party-residenty-the-committed-person-must: G
 - Be within 2 1/2 years of his or her release date.
 - Be-in-uhu-grade.
- Be-classified-for-minimum-security-
- Have-no-outstanding-warrants-or-detainers-on-file-
- Receive-a-positive-assessment-of-risk-and-needs-
- 2)67 Have documented skills or experience for the work assignment æ requested. An applicant for a work assignment as have a food handler's sanitation certificate.
- For electronic detention placement, the committed person shall meet the eligibility requirements set forth in the Electronic Detention Law [730 ILCS 5/5-Ch. V, Art. 8A]. g G

111. 22 (Source: Amended

Section 455.40 Placement Procedures

- Applications or referrals for placement shall be reviewed by designated program staff and a recommendation shall be forwarded to the Director for approval or denial or-his-designeer-who-shall-approve or-deny-the-placement. а Э
 - the final The committed person shall be notified in writing of Q Q

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NOTICE OF PROPOSED AMENDMENTS

- to placement on electronic detention, each participant shall agree in writing to abide by the terms and conditions of electronic disposition of his or her application or referral. detention, including but not limited to: ୌ
- Electronic detention participants will comply with applicable rules and procedures of the Department.
 - correctional facility and the committed person is confined to the of placement residence, except as approved by the Department. The participant's residence is an extension 7
- The committed person and his or her residence are subject to search at any time. 3
- Department staff, including employees of the monitoring service participant's residence to install, inspect, repair, maintain, or disconnect electronic monitoring equipment. shall Department, the employed 4

effective Reg. 111. 22 at (Source: Amended

Section 455.50 Placement Exceptions

assist the committed person's individual's rehabilitation and would not cause Exceptions to placement criteria may be made only upon the approval of the Director. An exception and shall be granted only when such placement undue risk to the public.

Reg. 111. 22 at (Source: Amended

Section 455.55 Programming

- plan that includes the committed persons minimum program goals based on the individual's needs. Program goals shall include at least 35 Staff and the committed person shall develop an individual program hours of programming and a release plan. a)
 - be limited to, counseling, employment, academic or vocational education, public service, or any Programming may include, but need not combination thereof. Q

111. 22 (Source: Added

Section 455.60 Level System for Work Release Residents

Community correctional center leaves and independent release time may be granted in accordance with the committed person's level status. Biigibiiity-for community-correctional-center-leaves-and--independent--release--time--shail--be determined--in--accordance--with--the--committed--person-s--compliance-with-the granted in accordance with the committed

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

requirements-of-this-Section-

Orientation Status a)

to a community correctional center the-program and will remain in persons shall automatically be promoted to Level I unless a major rule Committed persons shall be placed in orientation status upon entrance After seven days, orientation status for seven days. infraction has occurred.

Level I Q

Committed persons shall remain in Level 1 for at least 23 days, during which the committed person's Individual Program Contract (\underline{IPC}) must be written. After 23 days, committed persons may be promoted to Level To be promoted, a committed person must:

- primary programming which-may-include;-among-other-matters;-employment; οĘ Be involved in a minimum of 35 hours per week education,-public-service-or-vocational-education.
- Chief Administrative Officer er-his-designee.

Be enrolled and participating in counseling, if required

2)

by the

Have had no documented major rule infraction for 30 days. 3)

Level II

After 60 days, committed persons except permanent party residents may be promoted to Level III. Permanent party residents may not be promoted past Level II until their status is changed to a regular Committed persons shall remain in Level II for at least 60 days. resident. To be promoted, a committed person must: ô

- Be involved in a minimum of 35 hours per week of primary programming.
 - Be in compliance with IPC individual-program-contract goals Have had no documented major rule infraction for 30 45 days. objectives. 2) 3)
 - Level III q

þe Committed persons shall remain in Level III for at least 30 days. After 30 days, committed persons may be promoted to Level IV. promoted, a committed person must:

- be involved in a minimum of 35 hours per week of primary programming for-a-period-of-45-consecutive-days. Continue to
 - Be in compliance with IPC Indiwidual-Program-Contract goals and 5)
- Have had no documented major rule infraction for 30 45 days.
- or Have contributed one special volunteer project utilizing his þe The project must advance by the Chief Administrative Officer. her skills and abilities. 3)
- Committed persons shall remain in Level IV as long as they continue to display excellent adjustment and they are in compliance with the $\overline{\rm IPC}$ Individual-Program-Contract goals and objectives. Level IV (e

, effective	
Reg.	
111.	
22	
at	
Amended	
(Source:	

NOTICE OF PROPOSED AMENDMENTS

Staff Reviews Section 455.70

- weeks 30--days. Staff may recommend the committed person be retained in the same level or be promoted. The committed-person-may --only-be demoted--in--level--as-a-result-of-a-rule-violation-in-accordance-with 20-111-Adm.-Code-504.--Subpart--C. The following criteria, among Or--his-designee shall review and evaluate the behavior and progress of each committed person every other matters, may be considered for promotion: The Chief Administrative Officer a)
 - 1) The committed person's adjustment to the center, including arear relationships with staff and other committed persons. living personal of maintenance assignments,
- The committed person's participation in employment, training programs, or educational opportunities and compliance with other requirements established in the IPC. 2)
 - The---committed---person-s---compliance---with--the--reguirements established-for-promotion-to-each-level-9+
 - 3)47 The committed person's disciplinary record.
- 5) The-committed-person-s-involvement-in-other-programs:
- a release 416+ The committed person's progress toward establishing plan.
- The committed person shall have the opportunity to discuss the results of the review with staff his-correctional-counselor and to establish Q
- in review the staff accordance with 20 Ill. Adm. Code 504: Subpart The committed person may grieve the results of revised goals. ΰ
- effective Reg. 111. 22 at Amended (Source:

Section 455.80 Level Privileges (Repealed)

- Orientation-Status t a
- The-committed-person-may-be--allowed--one--staff--supervised--shopping
- **Sevel-**49
- The--committed--person-may-be-allowed-one-staff-supervised-shopping-or recreation-trip-per-week-
 - **Bevel-II** か
- The -committed-person-may-be-allowed:
- One-staff-supervised-activity-per-week-for-the-first-30--days--in level-ff. +
 - For the next 30 days, one staff supervised activity per week or one three-hour-volunteer-or-intern-supervised-activity-per-week-2)
- **Sevel-fix**
- The -committed-person-may-be-allowed: t p
- A-maximum-of-6-hours-of-independent-release-time--{20--1111--Adm 6ode--530:---Subpart---6}--per--week:----Time--increments--shail--be

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determined---by---the---correctional---counselor--and--the--Chief Administrative-Officer-

- One-three-hour-volunteer-or-intern-supervised-activity-per-week-
 - One-teave-per-month-
- Devel-IV 40

++

- The-committed-person-may-be-allowed:
- A-maximum-of-12-hours-independent-release-time-per-week-
- A-maximum-of-four-leaves-per-month.----Buring--the--last--69--days eligibility-date,-such-leaves-may-be--extended--home--and--family prior--to--the--mandatory--supervised--release-date-or-the-parole leaves-in-accordance-with-20-Ill--Bom--Code-530:--Subpart-B-

Reg. 111. 22 at Repealed (Source:

Section 455.90 Maintenance

- the work release Regular residents and electronic detention residents shall be required to sign an agreement to pay weekly maintenance fees for their room and make to board or electronic monitoring. Failure to agree in revocation of placement or electronic detention. maintenance fees may result a
- The maintenance fee shall be based on the committed person's weekly net income. Net income for the purposes of this Section shall mean gross employment compensation less deductions for FICA and State and federal withholding plus veteran's benefits or disability benefits. a
 - full-time academic Maintenance fees shall be paid as follows:

 1) Committed persons who attend full— 히
- training Work release shall be required to work part-time and pay 20% or programs and who are on: A A
- Electronic detention shall be required to work part-time and of their net income up to a maximum of \$50 per week. <u>a</u>
- pay 10% of their net income up to a maximum of \$25 per week. Any other work release and electronic detention residents who are employed full-time or part-time shall pay 20% of their net income up to a maximum of \$100 per week. 7

effective Reg. 111. 22 at (Source: Added

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- Heading of the Part: Aid to the Aged, Blind or Disabled 7
- Code Citation: 89 Ill. Adm. Code 113 2)
- Section Numbers: 113,309 3)
- Proposed Action: Repeal
- Statutory Authority: Implementing Hicks v. Peters, 98 C 3247 4)
- A Complete Description of the Subjects and Issues involved: 2)

ILCS 5/11-30 unconstitutional. Hicks v. Deters, 98 C 3247. This provision limited new residents to Illinois to the benefit levels of their previous state for 12 benefit level for the comparable program. This rulemaking repeals those months, if the previous state's benefit level was lower than Illinois' Sections of the Department's rules which implement 305 ILCS 5/11-30. 305 found has Court District States

Companion amendments are also being proposed to 89 Ill. Adm. Code 112 and

- Will this proposed rulemaking replace an emergency rule currently effect? (9
- Does this rulemaking contain an automatic repeal date? 7)
- Š Do these proposed amendments contain incorporations by reference? 8
- Are there any other amendments pending on this Part? Yes (6

Illinois Register Citation 22 Ill. Reg. 11266 22 Ill. Reg. 11266 22 Ill. Reg. 10961 Proposed Action New Section Amendment Section Numbers 113.157 113.158 113,320

- Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate. 10)
- concerning this rulemaking within 45 days after the date of this issue of the $Illinois\ Register$. All requests and comments should be submitted in Time, Place, and Manner in which interested persons may comment on this Interested persons may present their comments proposed rulemaking: 11)

Bureau of Administrative Rules and Procedures Mrs. Susan Warrner Weir, Bureau Chief Department of Human Services 100 South Grand Avenue East 1

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Springfield, Illinois 62762 3rd Floor, Harris Bldg. TTY: (217) 557-1547 (217) 785-9772

12) Initial Regulatory Flexibility Analysis:

- Types of small businesses, small municipalities and not for profit corporations affected: None A)
- Reporting, bookkeeping or other procedures required for compliance: B)
- C) Types of professional skills necessary for compliance: None
- This rulemaking was not included in either of the two most recent regulatory It was not anticipated by the Department when the two Regulatory agenda on which this rulemaking was summarized: most recent regulatory agendas were published. agendas because: 13)

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page 16348

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- - Heading of the Part: General Assistance

7

- Code Citation: 89 Ill. Adm. Code 114 2)
- Proposed Action: Repeal Section Numbers: 114.406 3)
- Statutory Authority: Implementing Hicks v. Peters, 98 C 3247. 4)
- the benefit levels of their previous state for 12 months, if the previous the v. Peters, 98 C 3247. This provision limited new residents to Illinois to A United Hicks for States District Court has found 305 ILCS 5/11-30 unconstitutional. state's benefit level was lower than Illinois' benefit level comparable program. This rulemaking repeals those Sections Department's rules which implement 305 ILCS 5/11-30. Description of the Subjects and Issues involved: 2)

Companion amendments are also being proposed to 89 Ill. Adm. Code 112 and

- currently in Will this proposed rulemaking replace an emergency rule effect? (9
- Does this rulemaking contain an automatic repeal date? No 7
- 8 Do these proposed amendments contain incorporations by reference? 8
- Are there any other amendments pending on this Part? Yes 6

Proposed Action Illinois Register Citation New Section 22 Ill. Reg. 11279 22 Ill. Reg. 11279 Section Numbers

- This rulemaking Statement of Statewide Policy Objectives (if applicable): does not create or expand a State mandate. 10)
- proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the date of this issue of the Illinois Register. All requests and comments should be submitted in and Manner in which interested persons may comment on this Time, Place, writing to: proposed 11)

Bureau of Administrative Rules and Procedures Mrs. Susan Warrner Weir, Bureau Chief Telephone number: (217) 785-9772 Department of Human Services Springfield, Illinois 62762 100 South Grand Avenue East 3rd Floor, Harris Bldg.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

TTY: (217) 557-1547

- Initial Regulatory Flexibility Analysis:
- Types of small businesses, small municipalities and not for profit corporations affected: None A)
- Reporting, bookkeeping or other procedures required for compliance: B)
- Types of professional skills necessary for compliance: None Ω
- was not included in either of the two most recent regulatory agendas Regulatory agenda on which this rulemaking was summarized: This rulemaking because: it was not anticipated by the Department when the two most recent regulatory agendas were published. 13)

text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page The full 16356

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- Heading of the Part: Temporary Assistance for Needy Families 1
- Code Citation: 89 Ill. Adm. Code 112 2)
- Proposed Action: Repeal Section Numbers: 112,255 3)
- Statutory Authority: Implementing Hicks v. Peters, 98 C 3247. 4)
- v. Peters, 98 C 3247. This provision limited new residents to Illinois to state's benefit level was lower than Illinois' benefit level for the A United the benefit levels of their previous state for 12 months, if the previous States District Court has found 305 ILCS 5/11-30 unconstitutional. This rulemaking repeals those Sections Subjects and Issues involved: Department's rules which implement 305 ILCS 5/11-30. of the Description 2

Companion amendments are also being proposed to 89 Ill. Adm. Code 113 and

Will this proposed rulemaking replace an emergency rule currently in (9

Does this rulemaking contain an automatic repeal date? 7 No Do these proposed amendments contain incorporations by reference? 8

Are there any other amendments pending on this Part? Yes 6

Section Numbers	Proposed Action	Illinois Register Citation
	ř	
112.1	Amendment	22 III. Reg. I328b
112.9	Amendment	22 Ill. Reg. 13286
112.52	Amendment	22 Ill. Reg. 11290
112.70	Amendment	22 Ill. Reg. 13286
112.72	Amendment	22 Ill. Reg. 13286
112.74	Amendment	22 Ill. Reg. 13286
112.78	Amendment	22 Ill. Reg. 13286
112.79	Amendment	22 Ill. Reg. 13286
112.80	Amendment	22 Ill. Reg. 13286
112.110	Amendment	22 Ill. Reg. 10987
112.305	Amendment	22 Ill. Reg. 9102
112.310	New Section	22 Ill. Reg. 11683

- Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate. 10)
- Time, Place, and Manner in which interested persons may comment on this 11)

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

rulemaking: Interested persons may present their comments the Illinois Register. All requests and comments should be submitted in concerning this rulemaking within 45 days after the date of this issue of writing to:

Bureau of Administrative Rules and Procedures Mrs. Susan Warrner Weir, Bureau Chief Telephone number: (217) 785-9772 TTY: (217) 557-1547 Department of Human Services Springfield, Illinois 62762 100 South Grand Avenue East 3rd Floor, Harris Bldg.

12) Initial Regulatory Flexibility Analysis:

- Types of small businesses, small municipalities and not for profit corporations affected: None A)
- other procedures required for compliance: bookkeeping or Reporting, B)
- Types of professional skills necessary for compliance: None (C)
- rulemaking was not included in either of the two most recent regulatory agendas because: it was not anticipated by the Department when the two Regulatory Agenda on which this rulemaking was summarized: most recent regulatory agendas were published. 13)

The full text of Proposed Amendments is identical to the text of the Emergency Amendments that appears in this issue of the Register on page 16365

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Heading of the Part: Duck, Goose and Coot Hunting

7

- 2) Code Citation: 17 Ill. Adm. Code 590
- 3) Section Numbers: Proposed Action: 590.20 Amendments 590.60 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).
- 5) A Complete Description of the Subjects and Issues Involved: Language in this Part is being amended to limit the number of shot shells a Canada goose hunter may take to the field.
- 6) Will this rulemaking replace any emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: There is no effect to small businesses, small municipalities and not for profit corporations.
- B) Reporting, bookkeeping or other procedures required for compliance: None

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rule was summarized: January 1998

The full text of the Proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENT

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES SUBCHAPTER b: FISH AND WILDLIFE TITLE 17: CONSERVATION

DUCK, GOOSE AND COOT HUNTING PART 590

Section

Permit Controlled Department Sites Only - Duck , Goose and Coot Hunting on Department-Owned Check Station Department Sites Only - Duck, Goose and Coot Hunting Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting Various Other Department Sites - Duck, Goose and Coot Hunting Regulations Illinois Youth Duck Hunting Permit Requirements (Repealed) and -Managed sites Listed in Sections 590.40 and 590.50 Illinois Youth Waterfowl Hunting Permit Requirements Goose and Coot General Hunting Regulations Hunting Department-Owned and-Managed Sites (Repealed) General and Coot Statewide Regulations Duck, Goose Ohio River Duck, 590.26 590,15 590.10 590.20 590.25 590.30 590.50 590.60 590.70

a11

uo

Department Early and Late Goose (all species) Hunting Regulations on Sites 590.80

The Non-Toxic Shot Zones of Illinois (Repealed) EXHIBIT A AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990). SOURCE: Adopted at 5 Ill. Reg. 1887, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; maximum of 150 days; emergency expired March 3, 1984; amended at 8 111. Reg. 18968, effective September 26, 1984; amended at 9 111. Reg. 14242, effective emergency expired February 23, 1987; amended at 11 111. Reg. 10560, effective emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a September 5, 1985; peremptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; emergency expired March 5, 1986; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 111. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; May 21, 1987; emergency amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 III. Reg. 12200, effective July 15, 1988; emergency amendment at 12 III. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

III. Reg. 13293, effective September 3, 1991; emergency amendment at 15 III. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 III. Reg. 570, effective December 31, 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 III. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of expired February 20, 1989; emergency amendment at 12 111. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 111. Reg. 17354, effective October 27, 1989; amended at 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective 1995; amended at 19 III. Reg. 13209, effective September 11, 1995; amended at name from Department of Conservation to Department of Natural Resources at 20 Reg. 11713, effective August 12, 1997; amended at 22 Ill. Reg. 2182, effective January 2, 1998; amended at 22 Ill. Reg. 15961, effective August 24, 1998; amended at 22 Ill. Reg. 14925, effective September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, September 26, 1990, for a maximum of 150 days; emergency expired February 23, 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, September 27, 1994, for a maximum of 150 days; emergency expired February 23, 20 Ill. Reg. 754, effective December 29, 1995; recodified by changing agency 111. Reg. 9389; amended at 20 Ill. Reg. 12417, effective August 30, 1996; amended at 21 Ill. Reg. 578, effective December 30, 1996; amended at 21

590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Section **Bunting**

Sites covered in this Section, which allow hunting by permit only, Banner Marsh Fish and Wildlife Area (for the 1998-1999 season, a a

permits will be issued through random daily drawings at the site

at 5:00 a.m. and the permit requirements in subsections (b)(1)

and (b)(5) do not apply)

Snake Den Hollow State Fish and Wildlife Area

Union County Conservation Area

4

NOTICE OF PROPOSED AMENDMENT

Permit Requirements (q

- publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the Permit reservations shall be accepted starting in September. Initial acceptance dates and methods for making reservations will first two weeks of the application period. Applicants making reservations will be sent confirmation.
- daily quota is determined by the formula: one hunter per 10 to 40 land at the site; the condition of the roads at the site; the of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5/3.8]. limited to, the biological studies on the number of the species the condition, topography, and configuration of the number of employees available to work at the site; and the number by, but not Permits shall be issued until the daily quota is filled. huntable acres. Huntable acres are determined available; 2)
 - It shall be the responsibility of the permit holder to bring one partner (two persons per blind) for Snake Den Hollow State Fish and Wildlife Area and Union County, or three partners (four persons per blind) for Banner Marsh. Unfilled blinds shall be filled by a drawing at The permit shall be for the use of the entire blind. 3)
- Permits are not transferrable.
- Permits will be issued from the Springfield Permit Office for permit-controlled sites. For other information write to: 5 4

Illinois Department of Natural Resources Springfield, IL 62794-9457 Permit Office - Waterfowl P.O. Box 19457

General regulations c)

- All use other than permit hunting is prohibited at Snake Den Hollow from October 1 through close of Fulton-Knox County goose 7
- Hours, Permits and Stamp Charges 2)
- hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. From December 15 through the close of goose seasons, hunters with permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. At Union County Conservation Area hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held to allocate blind sites at all sites. At Snake Den Hollow from opening day through December 14, Hunting hours are from legal opening time until 1:00 p.m. A) B)

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- A \$15 Daily Usage Stamp must be purchased at Snake Den Hollow State Fish and Wildlife Area and Union County Conservation Area. ô
- Hunting shall be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return. 3)
- Guns must be unloaded and encased at all times when not hunting. 4) 2
- weekday after December 26 other than a Monday. (This site the dates of the Quota Zone goose hunting season except that the areas shall be closed on Mondays and December 24, 25, 26 and the shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday, pursuant to The legal hunting season for Union County Conservation Area Section 590.25.) Eirst
- The legal hunting season at Snake Den Hollow is the dates of the shall be closed on Tuesdays, Wednesdays, and December 24, 25 and 26. Fulton-Knox County goose hunting zone except that the area (9
- The legal hunting season at Banner Marsh is the dates of the central zone duck hunting season. 7
 - shells for--each at Union County ιĐ eanada---Goose---ałłowed---in--the--daiły--bag Hunters may not possess more than 10 shot Conservation Area and Snake Den Hollow. 8
- to retrieve crippled waterfowl at Union County Conservation Area. may leave the blind sunb Hunters without their 6
- Hunters must be at least 16 years of age (except for the Illinois Youth Goose Hunt) to draw for a pit or blind. Each person under 16 years of age must be accompanied by a supervising adult. 10

effective Reg. 111. 22 at (Source: Amended

Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

The sites listed in this Section conform to Statewide Regulations (Section 590.10) and the following regulations, except as noted.

- Regulations
- Hunting hours are from legal opening to 1:00 p.m., except hunting shall be permitted until sunset on those sites indicated with (1) following the location in subsection (b).
- nature and constructed with natural vegetation at the blind site and no pits can be dug. All materials must be removed or No permanent blinds allowed; all blinds must be of a portable dismantled at the end on the day's hunt. 5
- final Portable boat blinds must have been completed, including be removed brushing, before entering the water and must end of the day's hunt. 3
 - yards Waterfowl hunters must maintain a distance of 200 hunting parties. 4)
- No hunting is permitted within 200 yards of developed recreation 2)

NOTICE OF PROPOSED AMENDMENT

areas, public use facilities, and construction or industrial

- No check station is operated nor is any check in/check out required, except as indicated in the remainder of this Section. (9
 - It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of regular duck season through the close of regular duck and Canada goose season except as indicated in the remainder of this Section. 7)
- It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the regular duck season as posted at the site. 8
- specific regulations Site (q
- Cache River State Natural Area (1)
- Campbell Pond Wildlife Management Area (1) 2)
 - Carlyle Lake Project Lands and Waters
- waterfowl hunting season, except during the last 3 days of the Canada goose season and during any goose seasons that occur before or after Canada goose season, hunters must be out of the area by one hour after sunset and not return The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south boundary, and includes impoundment areas 1, 2, 3, and 4 and No one may enter the subimpoundment area to hunt waterfowl before 4:30 a.m. each day of the waterfowl hunting season, 3:00 p.m. each day of the and extending north and west to the Carlyle Lake project within the impoundments on the East Side Management Area located east of the Kaskaskia River. or remain in the area after until 4:30 a.m.
- portion of the Kaskaskia River, northfork, eastfork, Peppenhorst Branch and Allen Branch north of the buoys only, The waters of Carlyle Lake are defined as the lake and that and Hurricane Creek that are within the boundaries of the Carlyle Lake property. portion of B)
- Department of Natural Resources personnel will designate Boats with no motors are allowed in the subimpoundments. Walk-in hunting shall be permitted in subimpoundment areas. boat launching locations. Û
 - When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Natural Resources personnel shall post that the area is open to boats with motors of 10 HP or less and will designate boat launching locations. (Q
- hunting within 50 yards of rest area signs on E and F levees trespassing will be allowed, except for hunters boating In the subimpoundment areas, compartment 4 will be waterfowl rest area during the entire waterfowl season. permitted. rs H 4 subimpoundment E

7 4

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on the Kaskaskia River along F levee and boaters hunting on Hurricane Creek between C and D levees. At the close of duck hunting season, known eagle protection areas will be posted by the Site Superintendent and will closed to goose hunting. through the area

decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season and during any goose seasons that occur after Canada goose season, decovs shall not be left out unattended or later than one hour Each hunting party is required to hunt over a minimum of 12 after sunset. (H

All waterfowl hunters must register prior to hunting each accessible registration box. All hunters must sign out and record their harvest daily before they exit the area. hunting season at day of the waterfowl G

The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only. (H

goose seasons that occur after Canada goose season, hunting During the last 3 days of Canada goose season and during any hours shall close at sunset daily. î

Chauncey Marsh (1) 4)

Headquarters and must be returned by February 15. Clinton Lake (1) 2

Permit required, may be obtained at Red Hills State Park

t0 hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for Hunters must obtain free permit from site office prior following season shall be forfeited.

is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge. Hunting B)

No more than 4 persons shall occupy or use a portable boat ω

Each hunting party is required to hunt over a minimum of 12 decoys. blind. â

No hunting is permitted within 300 yards of power lines. (E)

to hunting and sign out reporting harvest at the end of each day) Cypress Pond State Natural Area (hunters must sign in prior (9

Hunters must sign in prior to hunting and sign out reporting Dog Island Wildlife Management Area (1) harvest at end of each day. 7

A) Hunting is prohibited on Tuesdays and Wednesdays except open Donnelley State Wildlife Area 8

on opening day and on the first Sunday immediately preceding

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first firearm deer season as set forth in 17 Ill. Adm Code 650.10 except as indicated in Section 590.25.

- Hunting hours start at sunrise.
- of the duck close Goose hunting is prohibited after the C P
- All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted. (C
- All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. (E
- are allowed by public only by \$10 daily usage stamp must be purchased to hunt this area. motors outboard No 9
 - authorized DNR personnel.
- All parties are required to report to check station within 1 No more than 3 persons shall occupy a blind at any one time. hour after termination of hunt or no later than 2:00 p.m. H) î
 - maximum of 48 decoys can be used, which must be removed upon 12 decoys All parties must hunt over a minimum of the termination of the hunt. 'n
- consist of youth or youths 15 and under plus one adult per The first weekend and the third Saturday of the regular duck be designated as youth hunt days. This will blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days. season shall (X
 - "disabled" persons (as defined in Section 2.33 of the claim One blind shall be made available by priority Wildlife Code). ū
- Permits Waterfowl hunters must obtain permits prior to hunting. must be returned by February 15. East Conant Field 6
 - Fox Ridge State Park (1) 10)
- Hunting restricted to Embarras River and its flood waters.
- Hunting is allowed from anchored, portable boat blinds only Fort de Chartres Historic Site (1) A) 11)
- Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day. on a first come-first served basis. B)
 - No hunting is allowed during firearm deer season. ô
 - Freeman Mine 12)
- Heidecke State Fish and Wildlife Area, Braidwood Fish and Hunting regulations will be publicly announced. 13)
 - Blind sites shall be allocated on a daily draw basis minutes before hunting each party drawn shall be allowed to select blind site in time. Hunters shall register as parties for the drawing; order drawn; only those hunters registered in party shall be conducted at the check stations 60 Wildlife Area and Powerton Lake A)

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per party; persons under the age of 16 shall not be allowed allowed to hunt with their party; no more than three hunters to hunt unless accompanied by an adult.

- allocated on a first come-first served basis. Vacant blind sites shall not be allocated after the drawing until one to move to the check No blind sites shall another blind site must report this move to Hunters wishing station attendant in person before such a move. hour after legal hunting time. allocated after 10:00 a.m. B)
 - Access to water blind sites must be by boat only and from designated boat launch sites. ô
- yards of the assigned numbered stake or buoy. No more than All hunting must be from portable boat blinds, within 10 3 persons shall use one blind. (a
- check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and Upon vacating blind sites, all hunters must report to hunting licenses returned. (H
 - Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over. (H
- fishing and boat traffic except for legal waterfowl hunters from 10 days prior to regular duck season until the close of the regular duck and Canada goose season. Powerton Lake Heidecke Lake and Braidwood Lake shall be closed to all shall be closed to boat traffic from 7 days prior to opening of regular duck season until February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the regular duck season. 3
 - No hunting on Monday and Tuesday at Heidecke and Braidwood Lake on Monday through Thursday except hunting permitted on State holidays. Lakes. No hunting at Powerton (H
 - It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam and without a gas-powered motor. 1)
- be carried from water blinds to retrieve waterfowl that fall on land. may No guns 5
 - Hunting is closed on Christmas Day and New Year's Day. E E
- be by All water areas not posted with blind site numbers shall refuge and are closed to all boat traffic except authorized personnel.
 - It is unlawful to shoot across any dike. £Ω
- Lakes waterfowl hunting closes at the end of duck or goose Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke and Braidwood season, whichever is later. No goose hunting is allowed prior to duck season.

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- 14) Horseshoe Lake (Alexander County) Daily Drawing Waterfowl Hunting Area Only
- Tuesdays or December 24, 25, 26 and on the day of the Youth Waterfowl hunting shall be permitted only during goose season, except that no hunting is allowed on Mondays, Goose Hunt (this site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday, pursuant to Section 590.25).
 - Hunting shall be done from assigned blinds only. G G
- For the drawing, hunters must register as a party; no more held at 5:00 a.m. at the check station each day hunting is allowed. A daily drawing for assigned blind sites will be than two people per party are permitted.
 - Hunters must deposit their license prior to going to their blinds. â
 - Hunters must park in assigned, designated areas only.
- Hunters must return to the check station and report their Hunters must hunt over a minimum of 12 Canada goose decoys. harvest by 2:00 p.m. (G) (E) (E)
- Hunters may not possess more than 10 shot 5 shells for-each Canada-goose-or-subspecies-allowed-in-the-daily-bag. H
- assigned blind to shoot crippled geese; hunters may leave Hunters cannot move from blind to blind, nor leave the the assigned blind to retrieve crippled geese, but must leave their guns in the blind. (I
 - 15) Horseshoe Lake (Alexander County) Public Hunting Area
- Closed to waterfowl hunting on Mondays and Tuesdays. A)
- When duck season is closed, goose hunters may not possess no 5 shells for--each--Canada--goose-or subspecies-allowed-in-daily-bag. shot more than 10 B)
- 16) Horseshoe Lake Refuge (no hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15
 - 17) Kaskaskia River Fish and Wildlife Area
- For those lands lying south of Illinois Route 154 and north Illinois Route 13, the legal hunting hours shall be from No waterfowl hunters may remain in the area after 3:00 p.m. statewide opening hour until statewide closing hour. οĘ A)
 - All waterfowl hunting parties must use at least 12 decoys. It is unlawful to leave duck and goose decoys unattended. Hunting is allowed on a first come-first served basis. B) Û
- All waterfowl hunters must register prior to hunting each day of the waterfowl season at the nearest check station, and must sign out and record their harvest daily before they Decoys must be picked up at the end of each day's hunt. (n
- The following regulations apply to the Doza Creek Waterfowl Management Area: (E

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- No waterfowl hunters may enter the area before 3:00 waterfowl hunters may remain in the area after 3:00 a.m. each day of the waterfowl hunting season. p.m. į.
- turkey hunting (as provided by 17 Ill. Adm. Code 670 and 720) allowed in this area during the duck hunting goose hunting is closed during the second firearm deer season if the second firearm deer season Only waterfowl, coot, archery deer and fall archery occurs after duck season. season; ii)
 - 18) Kinkaid Lake Fish & Wildlife Area (1)
- 19) Lake Shelbyville (except for land/waters covered in subsection (b)(20) of this Section) (1)
- Waterfowl hunting shall be permitted as described below 20) Lake Shelbyville West Okaw and Raskaskia Fish and Wildlife Area A)
- allotted by a daily drawing from opening day through the Parties must register for drawings between 3:00 a.m. and Waterfowl hunting in the Fish Hook, the North Dunn, the first Saturday and Sunday of the regular waterfowl season. McGee, and the Jonathan Creek Waterfowl Areas shall except in duly posted restricted and "No Hunting" areas. B)
- ö those days. Each party drawn shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations 4:00 a.m. Central Standard Time at the check station shall apply:
 - All parties must hunt within 10 yards of their assigned stake. į)
- ii) All parties must be in place by one-half hour before hunting time.
 - iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
- subsections (b)(20)(A) and (B) above. A hunting party must Waterfowl Areas shall be restricted to designated, staked sites on a first come-first served basis except as noted Hunting in the Jonathan Creek, North Dunn and nunt within 10 yards of the stake. Ω
- to hunt over a Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required minimum of 12 decoys. â
- Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas. Motors of over 10 horsepower shall not be operated (E
 - Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail nunting is permitted after 1:00 p.m. daily beginning the day Waterfowl hunting only is permitted in the Fish Hook, Dunn, after the close of the Central Zone Duck Season. (H

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- Railroad bridge from one-half hour before sunrise until 1:00 During the regular waterfowl season, no bank or boat fishing Boat Access north to the Illinois Central be permitted on the Kaskaskia River Strickland shall (3)
- A free permit is required, which is obtained from the site by February 15 or the hunter will forfeit his hunting Permits must be in possession while hunting The permit must be returned and harvest reported waterfowl. office. (H
- 21) Meredosia Lake Cass County Portion Only (meandered waters only) privileges at this site for the following year.
 - All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in period from one week before waterfowl season opens until the the retrieval of waterfowl shot from private land) season closes. A)
 - any other activity is prohibited during the period from one week before waterfowl season opens until the Hunting and/or season closes. B)

22) Mermet

- Waterfowl hunting shall be permitted only during the duck hunting season. (A
- required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are which blinds shall be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification hunting licenses and participate in a daily drawing Cards. B
- The daily drawing shall be held one hour prior to legal opening time. ΰ
- members of the hunting party shall register as a group (not to exceed 4 persons per group) for the purpose of the drawing. â
- Those hunters in the blind area shall park in designated These parking areas shall be numbered to correspond with particular blind sites located along the levee road, areas. (E)
- In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl. Œ
 - Boats without motors may be used in the walk-in areas. G
 - No hunting Christmas Day. Ή
- 23) Newton Lake Fish and Wildlife Area
- Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not (A

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- selected during the drawing (or in the event that personnel are not available to conduct drawing) shall be allocated on a first come-first served basis.
- All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station, B)
- Upon vacating their blinds, hunters must place their completed harvest cards in the collection box located at the Û
 - These areas shall be closed to all boat traffic and boat fishing during boat ramp. There will be duly posted waterfowl refuges. the waterfowl season. â
 - No more than 4 persons shall occupy a blind at one time.
 - waterfowl to all The west arm of the lake shall be closed hunting. (E) (E)
- When it is deemed necessary, the Department shall remove, move or close Blind sites shall be determined by the Department of Natural blind sites in order to carry out the operations Resources and marked with numbered stakes. overall management program. 3
- providing they include the blind change on the harvest card Hunters wishing to move to another blind location may do so, and report their kill for each blind. H
 - Access to blind sites shall be by boat only and from the west side boat ramps.
- All hunting must be from one portable blind or one anchored portable boat blind located within a numbered cove and between the assigned numbered stakes. 5
- Crippled waterfowl that fall on land, other than areas no gun may be carried while attempting to recover such designated as refuge, shall be retrieved by foot. birds. X
- No pits or blinds shall be built on State lease Ameren/CIPS land. G
- Blind site: A position between two like numbered stakes
 - Fishing shall be prohibited in the east arm of the lake where a blind may be located. ê
- Each party must hunt over a minimum of 12 decoys, and all during the waterfowl season. ô
- as flooding, high winds, or heavy fog, the Department will close the lake area to all fishing and all boating activity When it is deemed necessary for public safety reasons, such decoys must be removed at the end of each day's hunt.
 - This site is closed to all users except firearm deer hunters except for non-water hunting programs. during the firearms deer seasons. ô

 - 24) Oakford Conservation Area (1)
 25) Ray Norbut State Fish and Wildlife Area (1)

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Statewide season regulations apply except that the season closes December 15 in Eagle Roost Area, or the legal statewide closing, whichever is earlier.

26)

- Rend Lake Project Lands and Waters
 A) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, and hunters must be out of the areas by one hour after during any goose season occurring after the Canada sunset and not return until 4:30 a.m.
 - No hunting permitted from the subimpoundment dams. G 9
- of the refuge boundary, or within 100 yards of any private property No waterfowl hunting permitted within 200 yards boundary.
 - All boat traffic is prohibited from entering the subimpoundments from 1 week before waterfowl season until opening day of waterfowl season. â
- All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt. E)
- Permanent blinds at the Whistling Wings Access Area shall be regulated as follows: (H
- During goose season, a separate drawing will be held drawing for staked hunting sites. Hunters may not register for more than one drawing per day. Whistling be held at the Cottonwood check station following the Wings pits may select any unclaimed staked location for the 4 pits at Whistling Wings. This drawing will Unsuccessful hunters in the drawing for
 - after the drawings. Hunters who wish to hunt together must register $\ensuremath{\mathsf{as}}$ hunting party and be present at the drawing. ii)
- iii) All hunters must have the registration card from the check station in their possession while hunting.
- Hunters must occupy the pit they have drawn by legal is not occupied by legal shooting time, another party who has registered at the check station may occupy the unclaimed pit. If a pit shooting time. iv)
 - No more than 6 dozen decoys may be used per pit.
- ņ hunting party is required to hunt over a minimum of 12 No more than 4 hunters will be allowed in a pit hunting party. Each 3
- During the last 3 days of Canada goose season and during any decoys at each blind site, and all decoys must be picked at the end of each day's hunt. H)
- seasons occurring after Canada goose season, hunting doose
 - t0 is closed hours shall close at sunset daily. The land portion of the Rend Lake Refuge I)

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The location of the Bounded on the south by a buoy line, approximating the Rend Lake Refuge is described as follows: respassing during waterfowl season.

- Bounded on the east by a buoy line and/or signs Jefferson-Franklin County Line.
- Bounded on the west by a buoy line and/or signs approximating the channel of the Casey Fork Creek. approximating the channel of the Big Muddy River. iii)
- Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which a buoy line and/or signs approximating would extend west from Ina, Illinois. iv)
 - Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam. ^
- Bounded on Nason Point by refuge boundary signs at project limits. vi)
- After the close of regular duck season, goose hunters may not possess more than 10 shot shells 5--shotgum--shells--for Staked Hunting Areas - Those areas designated as a staked each-Canada-Goose-allowed-in-the-daily-bag. J. X
 - nunting area will be publicly announced and the following regulations will apply:
- numbered stake and only one hunting party may occupy a All hunting must occur within 10 yards of an assigned, staked site at any given time.
- Stakes will be assigned via a daily drawing held at Check stations will be open 4:00 a.m. during November, 4:30 a.m. in December and from 1/2 hour before drawing time to 9:30 a.m. daily. 5:00 a.m. in January. ii)
- operated on a daily basis through the second weekend of the waterfowl season. Thereafter, Bonnie Dam check that party may hunt at the assigned stake. No more Check station at the Bonnie Dam Access Area will be station will only be open on weekends and holidays as posted at the check station. Cottonwood Access Area will be operated on a daily basis throughout the waterfowl season for both Bonnie Dam and Cottonwood location must register as a hunting party and Hunting Areas. Hunters who wish to hunt together at Only those persons than 5 persons shall be in a hunting party. be present for the drawing. staked iii)
- Hunters arriving at the check station after the draw may enter the staked area only if it is one hour prior shooting time or between 9:00 a.m. and 9:30 a.m. iv)
 - When a staked hunting location is vacated by a hunting party any other registered hunting party may claim the vacant stake on a first come-first served basis. Hunters must occupy the stake they have drawn by legal All hunters must register at the check station. 5

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- When hunting parties have killed their legal daily bag ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site. shooting time. limit of vi)
- Hunters must sign in and out and report their harvest on the cards at the access area where they launch. vii)
 - Saline County Conservation Area (1) 27)
- Waterfowl hunting is allowed north of the

township road

- Walk-in hunting only.
- Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day. C B
 - Ridge State Forest (Mud Turtle State Natural Area) (1) Sand 28)
- on Tuesdays and Saturdays during the come-first on a first Permits are issued Hunting is permitted served basis. duck season. A)
- Two hunters are allowed per blind. At least one hunter must have a P-2 handicapped certification. 8
 - Hunters must report harvest to site office. Ω
 - Sanganois State Fish and Wildlife Area 29)
- Hunters using the walk-in area shall use the check station Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning at the headquarters area located 8 miles northwest of near Route 100. A)
 - Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose. B)
- station to fill out information cards and to turn in hunting All hunters using a walk-in area must report to the check licenses or Firearm Owner's Identification Cards before proceeding to area. ĵ
 - Upon the completion of hunting, hunters must report to the check station within one hour. â
- Fishing is prohibited in the impoundment areas during the duck season, except that walk-in only access for fishing from the bank is permitted after 1:00 p.m. (E
- No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season. (E
- 20 No person shall trespass on the Marion-Pickerel Waterfowl Refuge during the period from October 1 through the last day (such as access to private land or season, unless prior permission is granted by wounded game) of the waterfowl specific reason retrieve dead or superintendent. Û
- with statewide When the central zone goose season extends beyond the duck nunting hours in effect. Hunters need not occupy a blind. season, goose hunting shall be permitted H

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- No hunting permitted from the walk-in area subimpoundment All hunting must be conducted within non-refuge areas. (H
- Hunters may use boats without motors in the walk-in area; permanent blinds the construction and/or use of walk-in area is prohibited. 6
 - 30) Sangchris Lake State Park
- During the last 3 days of Canada goose season, hunting hours will close at statewide closing. A)
- Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not personnel are not available to conduct the drawing) shall be allocated on a first come-first served basis. (During that portion of season which follows the duck season, the west blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing side goose pit area, the west arm blind sites and east selected during the drawing (or in the event that basis to be held at 5:30 a.m. daily.) the goose B)
- regular Canada goose season, the west-side goose pit area be available for goose hunting on a daily a first come-first served basis. All hunters must sign in at designated parking spots. Hunters may not possess more than 5 shells for each snow goose allowed in the daily bag During that portion of the goose season which follows the shall be allocated via a mail-in drawing from the office. Blinds not occupied one hour before shooting time shall be available on basis. These west-side goose pit area blinds shall blinds limit. Û
- hunters must occupy their blinds within one hour after only blind sites All hunting must be from registered registering at the check station. â
 - Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock. (E)
- These areas shall be closed to all boat traffic (except as allowed in subsection (b)(30)(J)) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted. There will be a duly posted waterfowl refuge. (H
 - No more than 4 persons shall occupy a blind at one time.
 - waterfowl The center arm of the lake shall be closed to all G G
- Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the (I
 - 80 Hunters wishing to move to another blind location may do operations of the overall management program. 5

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after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

- K) Access to water blind sites shall be by boat only and from designated boat launch sites. Blinds on the peninsula subimpoundment shall be accessed on foot once the hunter has reached the peninsula by boat. Corridors located along the edges of the existing refuge will be established to provide access to all available blind sites as designated by site superintendent when conditions warrant.
- L) All hunting must be from 1 portable blind or 1 anchored portable boat blind located within a numbered cove and between the assigned numbered stakes or from 1 Department
 - designated blind or pit.

 M) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- N) No unauthorized pits or blinds shall be built on State managed land.
- O) Blind sites: A position between two like numbered stakes within a cove or other Department designated site where a blind may be located.
- P) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the canada goose season that follows the duck season.
 - canada goose season that IOLIOWS the duck season.

 Q) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt (except at peninsula subimpoundments where only Department decoys may be used).
- A) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting
- S) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. Decoys must be removed at the end of each day's hunt.
 - T) Peninsula subimpoundment blinds will be available on opening day of duck season and every Tuesday and Saturday through
- U) West-side goose pit area blinds will be available every day each week except Tuesday and Wednesday and December 24 and
- 25, through the regular Canada goose season.

 U) Hunters in the west-side goose pit area may not possess more

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than 10 shot shells 5-shells-for-each-Canada-goose-allowed in-the-daily-bag-limit.

- 31) Sato Field
- Waterfowl hunters must obtain permit prior to hunting. Permit must be returned by February 15.
 - 32) Shawnee National Forest, Upper and Lower Bluff Lakes Goose hunting is prohibited.
 - 33) Shawnee National Forest, LaRue Scatters
- All hunting must be by walking in or in boats without motors.
- 34) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)
 A) All hunting must be by walking into the area.
- B) Each hunting party must hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.
 - C) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the subimpoundment area.
- 35) Stephen A. Forbes State Park A) On the main lake hunting is allowed from a boat blind only
- in the designated areas, Only walk-in hunting is allowed in the subimpoundment.
- B) Only walk-in hunting is allowed in the subimpoundment.
 C) Hunting shall be allowed on a first come-first served basis.
 All hunters must use 12 decoys, minimum.
 - 36) Ten Mile Creek Fish and Wildlife Area (1)
- A) Waterfowl hunters must obtain permits prior to hunting. Permits must be returned by February 15.
- B) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- C) Areas designated as Rest Areas are closed to all access during the Canada Goose Season only. Rest Area designation has been given to that part of the Belle River unit that lies south of Auxier Creek and is posted as Rest Area, and the 250 acre tract at the Western edge of the Eads Mine unit.
- D) After the close of the duck season, goose hunters in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 10 shot shells 5-shetgun shells-for-each-Canada-Goose-allowed-in-the-daily-bag.
 - 37) Turkey Bluffs State Fish and Wildlife Area (All hunters must sign in and out and report Kill) (1)
 - 38) Union County (Firing Line Waterfowl Management Area)
- A) It shall be unlawful to take a gun beyond the posted boundary while retrieving crippled geese.
- B) During goose season waterfowl hunters may not possess more than 10 shot shells 5-shells-for-each-Canada--Goose--allowed in-the-daily-bag.
 - C) During goose season hunting from staked sites only.

Code Citation: 80 Ill. Adm. Code 310 2) Adopted Action: Repealed Amended Table A Table B 310.Appendix A, Table F 310.Appendix A, Table S 310.Appendix A, Table V Table Section Numbers: 310.Appendix A, 310.Appendix A, 310.Appendix A, 310.100 310.280 310.490 310.70 3)

the Personnel of 8**a** Statutory Authority: Authorized by Sections 8 and Code [20 ILCS 415/8 and 8a]. 4)

Effective Date of Amendments: August 31, 1998 2)

N_O Does this rulemaking contain an automatic repeal date? (9 Does this (these) amendment(s) contain incorporations by reference? No 7)

A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection. 8

Copies of all Pay Plan amendments and Collective Bargaining contracts are available upon request from the Division of Technical Services.

Notice of Proposal Published in the Illinois Register: May 1, 1998; Issue #18; 22 Ill. Reg. 7385. 6

Has JCAR issued a Statement of Objections to this (these) rules? No 10)

Difference(s) between proposal and final version? 11)

813, "Full-time" was struck and added "full-time". And in Section 310.Tables D and F, the Columns depicting July, 1996 data have been inserted and strucked (lines 819-969 and 973-1166). Lines 884-967 and 1059-1163, new text have been underlined. Lines 968 and 1239, the ".00" "Repealed" was underlined in Section 310.140 (line 490). The commas have been struck or omitted in the figure amounts in Section 310.Tables A and B (lines 760-762, 773, and 791-795; 769-771 and 800-811). Lines 782 and As recommended by the JCAR, the Source Notes have been updated. The

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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have been deleted in the \$565.00 figure.

As a result from comments made by interested persons, Sections 310.70 (a) line 285), 310.100 (f) (line 432) and 310.490 (f) (line 654) were modified during the Second Notice filing to accurately reflect the wording of the law. The rulemaking as originally written stipulated that the State would pay for all of the nuused compensable sick days at one-half rate (between July 1, 1984 and December 31, 1997). The law actually stipulates that the full-rate for those days.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any proposed amendments pending on this Part? Yes

Section 310.110	Section Numbers 310.110	Proposed Action Amended	Illinois Register Citation 22 Ill. Reg. 12422 (July 2, 1998)
310.130	.130	Amended	22 III. Reg. 12422 (July 2, 1998)
310.290	.290	Amended	22 Ill. Reg. 12422 (July 2, 1998)
310.450	.450	Amended	22 Ill. Reg. 12422 (July 2, 1998)
310.495	495	Amended	22 III. Reg. 12422 (July 2, 1998)
310,530	.530	Amended	22 Ill. Reg. 12422 (July 2, 1998)
310.540	.540	Ателдед	22 Ill. Reg. 12422 (July 2, 1998)
310.	310.Appendix B	Amended	22 Ill. Reg. 12422 (July 2, 1998)
310.	310.Appendix C	Amended	22 Ill. Reg. 12422 (July 2, 1998)
310	310.Appendix D	Amended	22 Ill. Reg. 12422

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310.Appendix G Amended

22 Ill. Reg. 12422 (July 2, 1998)

15) Summary and Purpose of Amendments:

In Sections 310.70, 310.100 and 310.490, changes have been negotiated concerning compensability of accrued sick leave. Sick leave earned prior to January 1, 1984 and after December 31, 1997 is not compensable. One-half of the Sick leave earned and not used between January 1, 1984 and December 31, 1997 will be compensable at the full-rate upon separation from service. In Sections 310.100 and 310.490, the outdated bi-lingual pay is being deleted in subsections k) and 1).

In Section 310.280, Designated Rate, the following updates reflect changes already approved by the Governor:

In the Department of Children and Family Services, a Public Service Administrator position is being added with the annual salary of \$72,000.

In the Department of Commerce and Community Affairs, the Private Secretary II position's annual salary is being changed from \$43,164 to \$46,188. Also, the annual salary for the Secretary II position is being changed from \$43,164 to \$46,188.

In the Illinois Industrial Commission, the Private Secretary II position is being deleted.

In the Department of Insurance, the annual salary for the Senior Public Service Administrator is being changed from \$97,100 to \$100,992.

In the Department of Human Services, a Public Service Administrator position is being added with the annual salary of \$67,428.

In the Department of State Police, the annual salary for the Senior Public Service Administrator is being changed from \$99,214 to \$104,151.

In Sections 310. Tables A (HR-190) and B (HR-200) sections are being revised to include rates for the first and second years of employment after 1997. The hourly rates are being included for the Building Services Worker and Elevator Operator titles.

In Section 310. Tables D HR-001 (Teamsters, Local #726) and F RC-019 (Teamsters, Local #25), the State and Municipal Teamsters, Chauffeurs and Helpers Union Local #726, International Brotherhood of Teamsters (Cook County) and the Illinois Conference of Teamsters have negotiated their new three-year contracts as reflected below:

Those employees whose retirement formulas were changed shall receive a

(July 2, 1998)

NOTICE OF ADOPTED AMENDMENTS

one-time lump sum payment of \$565 for Fiscal Year 1998. The Highway Maintainer title will reflect "New Hire" rates for the first, second and third year of employment. Effective July 1, 1997, the employees in the Department of Corrections (RC-019) shall receive an increase of \$99 per increased by \$105 per month. And effective July 1, 1999, the rates of pay month. Effective July 1, 1998, the rates of pay for all classes shall shall be increased by \$115 per month.

In Section 310. Table S HR-012 (Fair Employment Practices Employees, SEIU), the Service Employees International Union, Local #73 negotiated a Investigators I, II and III shall be upgraded by one salary grade. And effective July 1, 1999, the rates of pay for all classes shall be three year contract which reflects that employees shall receive a one-time stipend of \$565, effective July 1, 1997. Effective July 1, 1998, the rates of pay for all classes shall be increased by 3%. The Human Rights increased by 3%.

1998, which was originally left out in the peremptory filing at 22 Ill. Reg. 16465. The salary ranges for the July 1, 1999 Maximum Security Institutions Schedule are being revised to reflect the accurate rates. In Section 310. Table V CU-500 (Corrections Meet and Confer Employees), the salary range for the Corrections Clerk III is being included for July,

Information and questions regarding this adopted amendment shall directed to: 16)

Address: Department of Central Management Services Division of Technical Services 504 William G. Stratton Building Springfield Illinois 62706 Telephone: (217) 782-5601 Name: Mr. Michael Murphy

The full text of the Adopted Amendment(s) begins on the next page:

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SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310 PAY PLAN

SUBPART A: NARRATIVE

													DEFO	o) Erre	
	Policy and Responsibilities	Jurisdiction	Pay Schedules	Definitions	Conversion of Base Salary to Pay Period Units	Conversion of Base Salary to Daily or Hourly Equivalents	Increases in Pay	Decreases in Pay			Interpretation and Application of Pay Plan				July 1, 1984 (Repealed)
Section	310.20	310.30	310.40	310.50	310.60	310.70	310.80	310.90	310,100	310,110	310.120	310,130	310.140	310,150	

SUBPART B: SCHEDULE OF RATES

ctive

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Mate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310,290	Out-of-State or Foreign Service Rate
310,300	Educator Schedule for RC-063 and HR-010
310.310	
310,320	Director and
	Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

NOTICE OF ADOPTED AMENDMENTS

Merit Increases eriod Units or Hourly Equivalents or Fiscal Year 1998	effective	effective		
Jurisdiction Objectives Responsibilities Responsibilities Merit Compensation Salary Schedule Procedures for Determining Annual Merit Increases Intermittent Merit Increase Merit Zone (Repealed) Other Pay Increases Adjustment Decreases in Pay Other Pay Provisions Broad-Band Pay Range Classes Conversion of Base Salary to Pay Period Units Conversion of Base Salary to Daily or Hourly Equivalents Implementation Annual Merit Increase Guidechart for Fiscal Year 1998	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective	Fiscal Year 1985 Pay Changes in Merit Compensation System,	July 1, 1984 (Renealed)	onty in isos (nepeared)
Section 310.410 310.420 310.420 310.440 310.450 310.455 310.460 310.460 310.460 310.490 310.490 310.500 310.520 310.520 310.520 310.520 310.520	310.550	310.550		

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of Po	of (SEIU	f Na	f La	(Firefighters, AFSCME)	(Teamsters Local #726)	(Teamsters Local #330)	Teamsters Local #25)	(Automotive Mechanics, IFPE)	Emp1	1 Emj	loye	(Registered Nurses, INA)	_	Pol	Leg	onal	(Paraprofessional Investigatory		ors,	nten	ent]	Deaf	Deaf	Mee	ploy
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Negotiated Rates of Pay	HR-190 (Department of Central Management	Illinois Building - SEIU)	NR-916 (Department of Natural Resources, Teamsters)	HR-200 (Department of Labor -	(Fire	(Tear	(Tear	(Tear	(Auto	(Corrections Employees, AFSCME)	(Institutional Employees, AFSCME)	(Clerical Employees, AFSCME)	(Regi	(Boilermakers)	(Conservation Police Lodge)	RC-010 (Professional Legal Unit, AFSCME)	(Paraprofessional Human Services Employees, AFSCME)	(P8	Employees, IFPE)	RC-033 (Meat Inspectors, IFPE)	(Residual Maintenance Workers, AFSCME	(Fair Employment Practices Employees, SEIU)	(Teachers of Deaf, IFT)	(Teachers of Deaf, Extracurricular Paid Activities)	(Corrections, Meet and Confer Employees	(Technical Employees, AFSCME)
Nego	190	inoi	916	200	RC-069	HR-001	RC-020	RC-019	RC-045	RC-006	RC-009	RC-014	RC-023	RC-008	RC-110	010	RC-028	RC-029	loye	033	RC-042	HR-012	HR-010	HR-010	CU-500	RC-062
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APPENDIX	TABLE A		TABLE A	LE B	LE C	TABLE D	TABLE E	LE F	LE G	TABLE H	LE I	TABLE J	LE K	TABLE L	TABLE M	LE N	LE O	LE P		LE O	LE R	TABLE S	LE T	TABLE U	LE V	TABLE W
APP	TAB		TAB	TABLE	TABLE	TAB	TAB	TABLE	TABLE	TAB	TABLE	TAB	TABLE	TAB	TAB	TABLE	TABLE	TABLE		TABLE	TABLE	TAE	TABLE	TAB	TABLE	TAE

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s, AFSCME)	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1998	Medical Administrator Rates for Fiscal Year 1998	Merit Compensation System Salary Schedule for Fiscal Year 1998	Repealed)	Physician and Physician Specialist Salary Schedule (Repealed)	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1998
RC-063 (Professional Employees, AFSCME) RC-063 (Educators, AFSCME) RC-063 (Physicians, AFSCME)	ary Grades .	trator Rates	ion System 9	Teaching Salary Schedule (Repealed)	nysician Spe	Range Cla
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TABLE X TABLE Y TABLE Z	APPENDIX	APPENDIX C	APPENDIX D	APPENDIX E	APPENDIX	APPENDIX G

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

III. Reg. 21544, effective October 24, 1984; amended at 8 III. Reg. 22844, effective November 14, 1984; emergency amendment at 9 III. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 III. Reg. 1320, SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 III. Reg. 10663, effective July 1, 1985; emergency amendment at 9 III. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 111. Reg. 3230, effective January 24, 1986; emergency amendment at 10 III. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 10 Ill. Reg. 12090, effective June 30,

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1987; emergency amendment at 11 111. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 111. Reg. 11830, effective July peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory peremptory amendment at 12 111. Reg. 5459, effective March 3, 1988; amended at 12 111. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 111. Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; peremptory amendment at 11 111. Reg. 15273, effective September 1, 1987; 150 days; amended at 11 111. Reg. 20778, effective December 11, 1987; operemptory amendment at 12 111. Reg. 3811, effective January 27, 1988; effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended 3363, effective February 3, 1987; peremptory amendment at 11 111. Reg. 4388, amendment at 11 111. Reg. 19812, effective November 19, 1987; emergency amendment at 11 I11. Reg. 20664, effective December 4, 1987, for a maximum of Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 1987, for a maximum of 150 days; peremptory amendment at 11 111. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. Reg. 17189, effective October 19, 1990; amended at 14 111. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 30,

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III. Reg. 11080, effective July 19, 1991; amended at 15 III. Reg. 13080, effective August 21, 1991; amended at 15 III. Reg. 14210, effective September 23, 1991; emergency amendment at 16 III. Reg. 711, effective December 26, 1991, at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 III. Reg. 19103, effective October 25, 1993; emergency amendment at 17 III. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 III. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 III. Reg. 15103, effective October 12, 1995; amended at 19 III. Reg. 16160, effective November 28, 1995; amended at 20 III. Reg. 308, effective December effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 111. Reg. 7056, effective April 20, 1992; emergency maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20,

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effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective, August, 7, 1998; amended at 22 Ill. Reg. 7 7 effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; peremptory amendment at 20 III. Reg. 13408, effective September 24, 1996; amended at 20 III. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 III. Reg. 15092, effective November 7, 1996; emergency amendment at 21 III. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 III. Reg. 1629, effective January 22, 1997; amended at 21 III. Reg. 5144, effective April 15, 1997; amended at 21 III. Reg. 6444, effective May 15, 1997; amended at 21 111. Reg. 7118, effective June 3, 1997; emergency amendment at 21 111. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 amended at 22 III. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 111. Reg. 14267, effective October 14, peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 111. Reg. 16344, effective December 9, 1997; peremptory amendment Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 15489, effective August 7', effective AUG 3 1 1998

SUBPART A: NARRATIVE

Section 310.70 Conversion of Base Salary to Daily or Hourly Equivalents

For purposes of determining the hourly or daily equivalent of a base salary,

the following methods of computation shall apply:

a) Payment for Vacation, Sick Leave* and Unused Compensatory Overtime Credits -- A daily (hourly) equivalent shall be determined by converting the base salary to an annual salary and dividing the result by the number of days (hours) usually worked in a year, according to the agency's normal work schedule as filed with the Department of Central Management Services.

*Sick leave earned prior to January 1, 1984 and after December

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1997 is not compensable. Sick leave earned and not used between January 1, 1984 and December 31, 1997 will be compensable at the current base daily rate times one-half of the total number of sick days earned and retained during that time period. This-compensatory siek-leave-is-for-sick-leave-earned-and-not-taken-since-danuary-ty-1984;-:It-is-to-be-liquidated-at-one-half-rate-

b) Payment for Fractional Part of a Specific Pay Period -- In those instances in which an employee is to be compensated at a rate that represents a number of work days (hours) that is less than the actual number of work days (hours) in the pay period, the formula to be used is: monthly rate divided by two equals pay period rate; pay period rate divided by days (hours) scheduled equals daily (hourly) rate; month earned.

c) Part-Time Work -- Part-time employees, whose base salary is other than an hourly or daily basis, shall be paid on a daily rate basis which will be computed from annual rates of salary and the total number of work days in the year.

(Source: Amended at 22 III. Reg. 16158,

effective

Section 310.100 Other Pay Provisions

- a) Transfer -- Upon the assignment of an employee to a vacant position in a class with the same salary grade as the class for the position being vacated, the employee's base salary will not be changed. Upon separation from a position of a given class and subsequent appointment to a position in the same salary grade, no increase in salary will be
- b) Entrance Salary -- Normally upon original entry to state service, an employee's base salary will be at Step lc of the salary grade.
 1) Qualifications above Minimum Requirements --
 - A) If a candidate possesses directly related training and experience in excess of the minimum requirements of the class specification, the entrance salary may be up to Step 3 as determined by the employing agency. The salary offered should not provide more than a 10% increase over the candidate's current salary.
 - B) Such qualifications above the minimum requirements must possess documented support for higher than the Step lc entrance salary. An entrance salary higher than Step 3 must have prior approval from the Director of Central Management
- Area Differential -- For positions where additional compensation is required because of dissimilar economic or other conditions in the geographical area in which such positions are established, a higher entrance step may be authorized by the Director of Central

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Management Services. Present employees receiving less than the new rate shall be advanced to the new rate.

geographical area of assignment effective the first day of the to an area for which additional compensation has been authorized, an employee will receive an adjustment to the appropriate salary level for the new Upon the geographical transfer from or month following date of approval. 3)

performed which is in excess of the normal requirements for the amount added to his/her base salary for a given pay period for work Differential and Overtime Pay -- An eligible employee may position and work schedule, as follows: ()

Shift Differential Pay -- An employee may be paid an amount in will be at a rate and in a manner approved by the Department of addition to his/her base salary for work performed on a regularly The additional compensation Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of employers, and the equity of the particular circumstances. scheduled second or third shift.

Overtime Pay --5)

The Director of Central Management Services will maintain a denied by the agency in light of their operating needs. The operating needs of the agency. Accrued compensatory time not used by the end of the fiscal year in which it was list of titles whose incumbents are eligible for overtime at a time and one-half rate for all hours actually worked in excess of the normal work schedule in any given work week. Overtime shall be paid in cash only unless an employee time off at the time and one-half employee shall make his/her choice known to the agency not later than the end of the work week in which the overtime was earned. If such compensatory time request is granted it shall be taken within the fiscal year it was earned at a earned shall be liquidated and paid in cash at the rate it Such request shall be considered and granted time convenient to the employee and consistent with requests compensatory

excess of a normal work week. Overtime in less than one-half hour increments per day shall not be accrued. If A list will also be maintained by the Director of Central compensatory time-off basis, as determined by the agency in light of their operating needs, for all hours worked in Management Services of titles whose incumbents are eligible positions who are assigned and perform work in excess of the normal work schedule as established by the agency shall be for straight-time overtime. Employees in these classes compensated at a straight-time rate on either a cash one-half hour increments per day shall not be accrued. was earned. В)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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compensatory time is not liquidated within the fiscal year during which it is accrued, it must be liquidated at the end of the fiscal year in cash at the employee's rate of pay in effect at the time of liquidation.

compensation shall be at a wage rate and in a manner approved by Incentive Pay -- An employee may be paid an amount in addition to his/her base salary for work performed in excess of the normal work standard as determined by agency management. The additional The Director of Central Management Services will approve the prevailing practices of other employers, and the equity of the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, Director of the Department of Central Management Services. particular circumstances. 3)

Extra Duty Pay -- An employee may be paid an amount in addition compensation will be at a rate and in a manner approved by the of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the to his/her base salary for service in addition to the regular Director of the Department of Central Management Services. assignment. work schedule on a special work particular circumstances. Director 4)

Part-Time Work -- Part-time employees whose base salary is other than an hourly or daily basis shall be paid on a daily basis which will be computed from annual rates of salary and the total number of work days in the year. q)

Assignment -- Employees who are assigned to work other similar situations, prevailing practices of other employers, and an appropriate differential during the period of the assignment, as approved by the Management Services will approve the manner and rate of this provision considering the need of the employing agency, the treatment of Director of Central Management Services. The Director of Central out-of-state on a temporary basis may receive the equity of the particular circumstances. Out-of-State e

302.510) are not separations and therefore lump sum cannot be given in leave* and unused compensatory overtime at the current base rate to Leaves of absence and temporary lay-off (per 80 Ill. Adm. Code those employees separated from employment under the Personnel Code. Lump Sum Payment -- Shall be provided for accrued vacation, in these transactions. Method of computation is explained 310.70(a) of this Part. £)

regular work hours will be to use his/her current base salary plus the AGENCY NOTE -- The method to be used in computing the lump sum payment for accrued vacation, sick leave* and unused compensatory overtime payment for an incumbent entitled to shift differential during his/her shift differential pay.

NOTICE OF ADOPTED AMENDMENTS

current base daily rate times one-half of the total number of sick sick--leave--is--for--sick-leave-earned-and-not-taken-since-January-ly Sick leave earned and not used between Sick leave earned prior to January 1, 1984 and after December 31, 1997 will be compensable at days earned and retained during that time period. 1984.--It-is-to-be-liguidated-at-one-half-rate. January 1, 1984 and December 31, 1997 is not compensable.

Exempt or Trainee position, or Educational Leave will be placed on the step which reflects satisfactory performance increases to which he/she Salary Treatment Upon Return From Leave -- An employee returning from Peace Corps Leave, Vista Leave, Service-Connected service date will be maintained. An employee returning to his/her former salary grade from any other leave of over fourteen days will be and his/her creditable service date will be extended by the Disability Leave, Leave to accept a Temporary, Emergency, Provisional, placed at the step on which he/she was situated prior to would have been entitled during his/her period of leave. duration of the leave. Military Leave, g

Salary Treatment Upon Reemployment --q

Upon the reemployment of an employee in a class with the same salary grade as the class for the position held before layoff, the employee will be placed at the same salary step as held at be adjusted to reflect that time on layoff does not count as the time of the layoff, and his/her creditable service date will creditable service time.

Upon the reemployment of an employee in a class at a lower salary range than the range of the class for the position held before layoff, the employee will be placed at the step in the lower salary grade which provides the base salary nearest in amount to, but less than, the current value of the step held at the time of that time on layoff does not count as creditable service layoff, and his/her creditable service date will be adjusted reflect 5)

a 10% increase over the candidate's current salary or exceed the current value of the salary step held in the position where previously determined by the employing agency and approved by the Director of Central Management Services. This salary should not provide more than certified. In no event is the resulting salary to be lower than the Reinstatement -- The salary upon reinstatement of an employee will minimum rate or higher than the maximum rate of the salary range. i)

Extended Service Payment --<u>,</u>

1) Effective July 1, 1994, the Step 7 rate shall be increased by per month for those employees who have attained ten years of service and have three years of creditable service on Step 7 in the same pay grade. \$25.00

1, 1994, the Step 7 rate shall be increased by \$50.00 per month for those employees who have attained fifteen of service and have three years of creditable service on Effective July years 2)

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or \$100.00 per month whichever is greater in addition to the Bi-Lingual Pay -- 1}--Hffective-October-1,-1994,-individual--positions whose--job--descriptions--require-the-use-of-sign-language-or-a-second language-shall-receive-an-additional-48-or-575.00-per-month--whichever 1, 1995, individual positions whose job descriptions require the use of sign language or a second language shall receive an additional is-greater-in-addition-to-the-employee-s-base-rate: 2) Effective Step 7 in the same pay grade. employee's base rate. Š

effective 16158 Reg. 111. 22 AUG 3 1 1998 (Source: Amended

Section 310.140 Reinstitution of Within Grade Salary Increases (Repealed)

- This-Pay-Plan-is-hereby-modified-as-required-by--Section--310-4407--to allow--for--reinstituting--within--grade-salary-increases-specified-in various-Sections-of-this-Pay-Plan-48
 - the--provisions--of-this-Section;--The-Creditable-Service-date-will-be Haptoyees-who-because-of-the-btock-provision-in--Section--310∵440--did not---receive--increases--between--July--ly--1983,--and--the--date--of implementation-of-this-Section-310:140-that-they-normally--would--have been--entitled--to--shall--be--given--a--lump-sum-payment-equal-to-the <u> difference-between-what-was-initially-paid-and-what--is--specified--by</u> established-to-reflect-that-the--increase--was--granted--as--scheduled orier-to-the-block-by-Section-310-440t q

effective 6 1 28 Reg. 111. 22 (Source: Repealed

Section 310.280 Designated Rate

1.5 deemed desirable to exclude such from the other requirements of this Pay Plan where it positions The rate of pay for a specific position or class of shall be only as designated by the Governor.

Department of Children & Family Services

Public Service Administrator	Annual Salary
(Pos. No. 37015-16-00-070-20-01)	72,000
Department of Commerce & Community Affairs	
Economic Development Representative II (Pos. No. 12932-42-35-110-10-02)	Annual Salary 51,912
Private Secretary II	Annual Salary
Pos. No. 34202-42-00-000-01-02)	46,188 497164

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Annual Salary	Annual Salary
56,184	69,528
Public Information Officer IV (Pos. No. 37004-42-00-005-10-01)	Public Service Administrator (Pos. No. 37015-42-35-140-20-01)

Ellinois-Industrial-Commission

Private-Secretary-II	Annual-Salary
(Pos:-No:-34262-56-37-666-68-61	487852
Department of Insurance	
Senior Public Service Administrator (Pos. No. 40070-14-00-000-06)	Annual Salary 100,992

Annual Salary 105,480	Senior Public Service Administrator (Pos. No. 40070-10-81-920-00-21)
Annual Salary 67,428	Public Service Administrator (Pos. No. 37015-10-23-200-00-42)
Annual Salary 131,250	Medical Administrator I, Option D (Pos. No. 26401-10-81-903-10-22)
Annual Salary 142,368	Medical Administrator I, Option D (Pos. No. 26401-10-79-006-00-21)
	Department of Human Services
97776	

Department of Natural Resources

7	
Administrative Assistant II	(Pos. No. 00502-12-30-000-20-01)

Annual Salary

50,520

Department of State Police

		4-4
tor	_	,
Administrator	-000-000-	
Service	-21-10	
Public	No. 40070	re constant
Senior	(Pos. 1	n (
		ì

effective 04,151 997214 ~~· ဖ

Annual Salary

111. NG 3 1 1998 (Source: Amended

Reg.

Section 310.490 Other Pay Provisions

Transfer -- Upon assignment of an employee to a vacant position in a class with the same salary range as the class for the position being (B

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NOTICE OF ADOPTED AMENDMENTS

separation and subsequent appointment to a position in the same salary changed. Upon pe not employee's base salary will range, no increase in salary will be given. vacated, the

- Entrance Salary -- Normally upon entry to state service, an employee's base salary will be at the minimum salary of the salary range. Qualifications above Minimum Requirements -q
 - entrance salary up to the midpoint of the first half of the salary range; however, this shall not provide more than a experience in excess of the minimum requirements of the 10% increase over the candidate's current salary. Such qualifications above the minimum requirements must possess documented support for higher than the minimum entrance class specification, the employing agency may grant training A) If a candidate possesses directly related
- Central Management Services. This approval will be based on consideration of the candidate's training and experience An entrance salary above the middle of the first half of the exceeding the requirements of the class, prior salary history, particular staffing requirements of an agency, and salary range must have prior approval of the Director labor market influence on recruitment needs. B)
- Central Management Services. Present employees receiving less Area Differential -- For positions where additional compensation is required because of dissimilar economic or other conditions in the geographical area in which such positions are established, a higher entrance salary may be authorized by the Director of than the new rate of pay shall be advanced to the new rate. 5
 - receive an adjustment to the appropriate salary level for the new to an area for which additional compensation has been authorized, an employee will geographical area of assignment, effective the first day of transfer from or month following the date of assignment. Upon the geographical 3
 - performed which is in excess of the normal requirements for the have an amount added to the base salary for a given pay period for work Differential and Overtime Pay -- An eligible employee may position and work schedule, as follows: ô
- Shift Differential Pay -- An employee may be paid an amount in addition to the base salary for work performed on a regularly compensation will be at a rate and in a manner approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of practices of other employers, and the equity of the particular circumstances. scheduled second or third shift. The additional prevailing situations, similar
 - Overtime Pay -- The Director of the Department of Central Management Services shall maintain a listing of classes of 5

NOTICE OF ADOPTED AMENDMENTS

of Central Management Services in consideration of need of the agency and relationship to eligible titles. Employees in these Central Management Services. Classes above MC 6 may be added to the list when requested by an agency and approved by the Director must be liquidated at the end of the fiscal year in cash at the employing agency and will be determined on the basis of the special nature of the situation, a substantial need to provide positions subject to the provisions of the Merit Compensation salary ranges MC 6 and below are eligible for straight-time overtime unless exceptions are determined by the Director of classes of positions who are assigned and perform work in excess of the normal work schedule as established by the agency shall be at a straight-time rate on either a cash or compensatory time-off basis for all hours worked in excess of a normal work week. Overtime in less than one-half hour increments If compensatory time is not exception to the above provisions for overtime compensation shall be approved by the Director of the Department of Central Management Services. Such exceptions must be requested by the overtime compensation and a significant number of hours worked beyond the normal work schedule, and will be granted only for a specified time period for which the special situation is expected liquidated within the fiscal year during which it is accrued, employee's rate of pay in effect at the time of liquidation. System who are eligible for overtime compensation. day shall not be accrued.

to exist.

d) Part-Time Work -- Part-time employees whose base salary is other than an hourly or daily basis shall be paid on a daily rate basis which will be computed from annual rates of salary and the total number of

work days in the year.

e) Out-of-State Assignment -- Employees who are assigned to work out-of-state on a temporary basis may receive an appropriate differential during the period of the assignment, as approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance.

the equity of the particular circumscance.

f) Lump Sum Payment —— Shall be provided for accrued vacation, sick leave* and unused compensatory overtime at the current base rate to those employees separated from employment under the Personnel Code. Leaves of absence and temporary layoff (per 80 Ill. Adm. Code 302.510) are not separations and therefore lump sum payments cannot be given in these transactions. Methods of computation are explained in Section 310.520(a) of the Merit Compensation System.

AGENCY NOTE: The method to be used in computing lump sum payment for vacation, sick leave* and unused compensatory overtime for an incumbent entitled to shift differential during the regular work hours

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will be to use the current base salary plus the shift differential pay.

*Sick leave earned prior to January 1, 1984 and after December 31, 1997 is not compensable. Sick leave earned and not used between January 1, 1984 and December 31, 1997 will be compensable at the current base daily rate times one-half of the total number of sick days earned and retained during that time period. This-rempensatory sick-leave-is-fer-sick-leave-earned-and-not-taken-since-danuary-ty-1984;--It-is-to-be-lightidated-at-one-half-rate.

Military Leave, Peace Corps Leave, Vista Leave, Service-Connected Disability Leave, Leave to accept a Temporary, Emergency, Provisional, Exempt or Trainnee position, or Education Leave will have his/her salary established as determined appropriate by the employing agency and approved by the Director of Central Management Services. However, in no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the salary range. Creditable service date will be maintained. An employee returning to his/her former salary range from any other leave of over fourteen days will be placed at the salary which the employee received prior to the leave and the creditable service date will be extended by the duration of the leave.

h) Employees in classes which are made subject to the Merit Compensation System after July 1, 1979, will retain their current salary, except that in no event is the resultant salary to be lower than the minimum rate of the new salary range.

i) Extra Duty Pay —— An employee may be paid an amount in addition to the base salary for services in addition to the regular work schedule on a special assignment. Additional compensation will be at a rate and manner as approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

j) Salary Treatment Upon Reemployment --

1) Upon the reemployment of an employee in a class with the same salary range as the class for the position held before layoff, the employee will be placed at the same salary as held at the time of the layoff, and his creditable service date will be adjusted to reflect that time on layoff does not count as creditable service time.

2) Upon the reemployment of an employee in a class at a lower salary range than the range of the class for the position held before layoff, the employee will be placed at the same salary as held at the time of layoff, except that if this exceeds the maximum of the new range, the employee will be placed at that maximum salary. The creditable service date will be adjusted to reflect

NOTICE OF ADOPTED AMENDMENTS

as determined by the employing agency and approved by the Director of Central Management Services. This salary should not provide more than a 10% increase over the candidate's current salary, or exceed the salary rate held in the position where previously certified. In no event is the resulting salary to be lower than the minimum rate or Reinstatement -- The salary upon reinstatement of an employee will be that time on layoff does not count as creditable service time. higher than the maximum rate of the salary range. Š

1, 1995, individual positions whose job descriptions require the use of sign language or a second language shall receive an additional 5% or \$100.00 per month, whichever is greater, in addition to the $\pm s$ -greater, $\pm n$ -addition-to-the-empioyee's base-rate; $2\dagger$ $ext{Effective July}$ Bilingual Pay -- 14 Bffective--October--17--1994y-individual-positions whose-job-descriptions-require-the-use-of-sign-ianguage--or--a--second language-shali-receive-an-additional-4%-or-\$75:00-per-monthy-whichever employee's base rate. 1)

The amount will be determined by the Director of the employing agency, and will require approval of the Director of the Department of Central Management Services. The Director of the Department of Central Management Services will approve the manner and rate of this provision Clothing or Equipment Allowance -- An employee may be paid an amount in addition to his/her base salary to compensate for clothing or equipment which is required in the performance of assigned duties. after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance. E

effective 16158 Reg. 111. 22 AUG 3 1 1998 (Source: Amended

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay

Section 310.TABLE A RR-190 (Department of Central Management Services - State of Illinois Building - SEIU)

	11.70	9.70	12.05	11.05	10.05	12.41		11.41	10.41
Hr	2,035,80	1,687.80	2,096.70	1,922.70	1748.70	27159.34	27159-34	1985,34	1811.34
Mo.	07-01-97	07-01-97	07-01-98	07-01-98	07-01-98	07-01-99	97-0±-99	07-01-99	07-01-99
Building Services Worker	Employees hired	Employees hired after	3 or more years of employment ist-year completed/New	2nd year	1st year of employment	3 or more years	2nd-year completed/New Hires	2nd year	lst year of employment

		Operator		Asst Starter	arter	Starter	ul
Employees hired 07-01-97 prior to	07-01-97	2 ₇ 088.00 12.00		$\frac{MO.}{27122.80} \frac{Hr.}{12.20}$ 2	Hr. 12.20	2 ₇ 140.20 12.30	Hr. 12.30
Employees hired 07-01-97 after	07-01-97	17740.00 10.00		$1_7774.80$ 10.20 $1_7792.20$ 10.30	10.20	1,792.20	10.30
of employment 1 or more years 7-01-98 Of employment 1 07-01-96	7-01-98 87-81-98	27150.64 12.36 17976-64	. 36	2185.44 27187.18 27813718	12.56	12.56 2202.84 12.66 27204.59 27030-59	12.66
Hires 2nd year of employment	07-01-98	1976.64 11.36		2011.44	11.56	11.56 2028.84 11.66	11.66

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

10.66	13.03	12.03	11.03
10.56 1854.84	2267.22 27270.70 27270.70	2093.22	1919.22
10.56	12.93	11.93	10.93
1837.44	2249.82 27253-30 27253-30	2075.82	1901.82
10.36	12.73	11.73	10.73
1802,64 10,36	27215.02 <u>12.73</u> 27215.02	2041.02	1867.02
07-01-98	07-01-99 07-01-99	07-01-99	07-01-99
lst year of employment	3 or more years of employment 2nd-year completed/New	2nd year of employment	lst year of employment

NOTE: Effective July 1, 1997, <u>full-time</u> Pull-time employees will receive a one-time lump sum payment of \$565.

Employees hired before 7/1/97 will earn the full rate.

(Source: Amended at 22 Ill. Reg. 16153, effective

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

13.03 12.66 10.66 10.30 11.03 12.30 11.66 12.03 Hr. Section 310.TABLE B HR-200 (Department of Labor - Chicago, Illinois - SEIU) Starter 27140.20 17792.20 2202.84 2267.22 27270-70 27030-58 27270-70 1854.84 1919.22 2028.84 2093.22 10.93 12.56 10.56 12.93 12.20 10.20 11.56 11.93 Asst Starter 2185.44 2249.82 27253+30 27122.80 17774.80 27013-18 27253730 2075.82 Wo. 1837.44 1901.82 2011.44 10.36 10.73 27088.00 12.00 17740.00 10.00 27150.64 12.36 27215.02 12.73 1976.64 11.36 11.73 Operator 1-976-64 2041.02 1867.02 2,215-02 1802.64 07-01-97 07-01-97 07-01-99 03-6F-9B 07-01-98 07-01-99 07-01-99 07-01-98 64-64-99 7-01-98 Elevator Operator Employees hired Employees hired 3 or more years of employment 3 or more years completed/New of employment completed/New employment lst year of employment employment employment 2nd year of 2nd year of lst year of prior to lst-year 2nd-year Hires after

NOTE: Effective July 1, 1997, <u>full-time</u> Full-time employees will receive a one-time lump sum payment of \$565.

Employees hired before 7/1/97 will earn the full rate.

(Source: Allenged 1993 22 111. Reg. 10153, effective

NOTICE OF ADOPTED AMENDMENTS

HR-001 (Teamsters Local #726) Section 310. TABLE D

- -of----Transportation---Bivision---of--Highways---Emergency Patrol---Northeast-Region---{Book} Department-长
 - 3385-88-19-45 3514-00-20-20 Jaty-17-1996 3245-00-18-65 3374-00-19-39 July-17-1995 Me 3244-00-18-64 3115-00-17-90 July-17-1994 HF Me Highway-Maintenance Highway-Maintainer **Bead-Worker**

3564-00-20-48 9929-00-19-19

3424-00-19-68 3189-88-18-33

3294-00-18-93

Worker-(Bead-bead-Worker)

Maintenance-Worker

Highway-Maintenance-bead

3059-00-17-58

- Department--of----Transportation---Division---of----Highways---Northeast Region---(Cook) Bţ
- 3285-88-18-88 3533-68-58-31 3229-00-18-56 3384-88-19-45 3453-68-19-85 3285-00-18-88 9354-68-39-28 3414-88-19-62 3464-00-19-91 3193-00-18-35 3483-68-28-82 3444-4-4496 Mor 3269-98-16 3332-58-19-15 9999-68-19-19 3259:00-10:73 3302-50-18-98 3160-00-10-16 3289-88-18-98 3382-58-19-44 3068-08-17-63 3104-60-17-84 July-17-1995 Mer 3219-00-18-50 3156-40-18-14 3040-00-17-47 3040-00-17-47 3169-88-21 3186-48-31 3236-40-18-60 2984-68-13-15 3139-88-18-84 3057-40-17-57 2948-88-16-94 July-17-1994 HF下 Mer Highway-Maintenance-bead bead-Worker-(Bridge Worker-Bridge-Grew) Equipment-Operator {bead-bead-Worker} Worker-(bead-bead Baborer-(Maintenance} Equipment-Operator Highway-Maintenance Highway-Maintenance Highway-Maintenance Maintenance-Worker Heavy-Construction Highway-Maintainer Highway-Maintainer Highway-Maintainer Heavy-Construction (Bridge-Erew) (Tractor-Mower) (Bridge-Grew) **Dead-Worker** bead-Worker
- Departments--of--Mental--Health--ƙ--Bevelopmental-Bisabilitiesy-Public Healthy-Rehabilitation-Servicesy-and--Employment--Security---Northeast Region --- (Cook) e)

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NOTICE OF ADOPTED AMENDMENTS

	July-1,-1994 July-1,-1995	July-17-1995	July-17-1996
	Mo- Hr-	Mo- Hr-	Mo- Hr-
Maintenance-Equipment	3040-00-17-47	3040-0017-47 3160-0010-16 3285-0018-88	3285-0010-88
Operator			
Maintenance-Equipment	3214-00-18-47	3214;0018;47 3334;0019;16 3459;0019;88	3459-00-19-8B
Operator-(Dispatcher)			
Maintenance-Worker	2893-8816-63	2893-8816-63 3013-8817-32 3138-88-83	3138-00-18-03

Departments--of--Central--Management--Servicesy---Children--and--Pamily Gervicesy-and-Public-Aid---Northeast-Region---(Gook) †a

	July-17-1994	July-17-1995	344-1-1996
	Mo- Hr-	Mo- Hr-	Mo- Hr-
Grounds-Supervisor	2956-00-16-82	3046.0017.51	3171-00-18-22
Grounds-Supervisor	3093-0017-70	3093-0017-70 3213-0010-47	3338-8819-18
(Chicago-Read)			
Grounds-Supervisor	3213-00-18-47	3213-0010-47 3333-0019-16	3458-0019-87
(Supervising-Practor			
Pratter-Brivers+			
Maintenance-Worker	5893+0016-63	2893:0016:63 3013:0017:32	3138-8818-83
Maintenance-Worker	3040-00-17-47	3040-00-17-47 3160-00-18-16	3285-0818-88
(Chicago-Read)			
Maintenance-Equipment	3040-0017-47	3040-00-17-47 3160-00-10-16	3285-8818-88
Operator			
Maintenance-Equipment	3101-0817-82	3101:0017:02 3221:0010:51	3346-0819-23
Operator-(Tractor			
Trailer			

Department of Transportation - Division of Highways - Emergency Patrol Northeast Region - (Cook) A

	July 1,	1997	July 1,	1998	July 1,	1999
	Mo. Hr.	Hr.	Mo. Hr.	Hr.	Mo. Hr.	Hr.
Highway Maintainer	3385.00	19.45	3490.00	20.06	3605.00	20.72
(New Hire 7/1/97-6/30/98)	2539.00	14.59	2814.00	16.17	3099.00	17.81
(New Hire 7/1/98-6/30/99)			2618.00	15.05	2908.00	16.71
(New Hire 7/1/99-6/30/2000	7				2704.00	15.54
Highway Maintenance	3514.00 20.20	20.20	3619.00 20.80	20.80	3734.00 21.46	21.46
Lead Worker						
Highway Maintenance Lead	3564.00 20.48	20.48	3669.00 21.09	21.09	3784.00 21.75	21.75
Worker (Lead Lead Worker)						
Maintenance Worker	3329.00	3329.00 19.13	3434.00 19.74	19.74	3549.00 20.40	20.40

Department of Transportation - Division of Highways - Northeast Region (Cook) a

July 1, 1999 MO. July 1, 1998 Mo. July 1, 1997 Hr.

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ILLINOIS REGISTER

NOTICE OF ADOPTED AMENDMENTS

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Departments of Central Management Services, Children and Family Services, Human Services and Public Aid - Northeast Region - (Cook) DEPARTMENT OF CENTRAL MANAGEMENT SERVICES Hr. 18.83 19.79 3477.10 19.98 3415.62 19.63 3390.00 19.48 3563.00 20.48 July 1, 1998 NOTICE OF ADOPTED AMENDMENTS Mo. 3276.00 3443.00 3372.10 19.38 3285.00 18.88 3311.22 19.03 18.22 3458.00 19.87 Hr. July 1, 1997 Mo. 3171.00 3338.00 Operator (Tractor Trailer) (Supervising Tractor Maintenance Equipment Maintenance Equipment Maintenance Equipment Operator (Tractor Grounds Supervisor Grounds Supervisor Grounds Supervisor Trailer Drivers) Trailer-Dept of (Chicago-Read) Operator

19.49

July 1, 1999 Mo. 3391.00 3558.00 3678.00 21.14

3505.00 20.14

3592.10 20.64 3530.46 20.29 NOTE: Employees shall receive a one-time lump sum payment of \$565, effective July 1, 1997

3358.00 19.30 3505.00 20.14

3243.00 18.64

3138.00 18.03 3285.00 18.88

Maintenance Worker Maintenance Worker

(Chicago-Read)

Human Services)

Reg. 111. 22 (Source: Amended at AUG 3 1 1998

Hr. 20.14

Hr. 19.48

3390.00

Hr. 18.88

July 1, 1999 3505.00

July 1, 1998

July 1, 1997 3285.00 Mo.

3679.00 21.14 3358.00 19.30

3243.00 18.64 3564.00 20.48

3138.00 18.03 3459.00 19.88

Operator (Dispatcher) Maintenance Equipment Maintenance Equipment

Maintenance Worker

effective

NOTICE OF ADOPTED AMENDMENTS

Section 310.TABLE F RC-019 (Teamsters Local #25)

₩.	h) Department-of-TransportationDivision-of-HighwaysBownstate{All	
	CountiesOtherThanCook;DuPage;Kane;Kankakee;-Kendall;-bake;	
	McHenry-and-Will}	

	July-17-1994	July-17-1995	July-17-1996
	Mo- Hr-	Mo- Hr-	Mo- Hr-
Bridge-Mechanic	3073-0017-66	3193-00-18-35	₹9€
Bridge-Tender	2872-8816-51	06-Et00-6666	10-21-00-21-6
Beck-Hand	2945-08-546-93	3065-00-44-64	CC-0100-00+C
Perry-Oberator-F	3878-8854-64	EE-8400-00+E	30-01-00-5166
Ferry-Operator-II	3120-6617-03	4240-00-044	4465-00-146-44
Highway-Mainten-	46-8488-6946	40-04-06-06-0	2414-00-10-00-
ance-bead-Worker			20:61 00:516
Highway-Mainten-	3186-4818-31	9992-5619-15	3483-6828-03
ance-bead-Worker			
(Bridge-Grew)			
Highway-Mainten-	3219-00-19-50	9339-0819-	3464-88-44-44
ance-bead-Worker			
(bead-bead-Worker)			
Highway-Maintainer	3040-0017-47	3160-00-18-16	3285-8818-88
Highway-Maintainer	3657-4017-57	3203-58-4F	3354-6919-58
(Bridge-Grew)			
Janitor-I	2747-0815-79	2867-0016-48	999-99-99
tinctuding-Office-	-of		03:11
Administration			
Janitor-II	2778-88-45-97	2898-00-16-66	56-5100-660F
(including-Office-	-0£		
Administration			
baborer-(Mainten-	2948-0816-94	3068-00-17-63	3193-00-18-35
ancet			
babor-Mainten-	3004-00-17-26	3124-00-17-95	3249-00-18-67
ance-bead-Worker			
Maintenance-Worker	2984-6617-15	3104-6917-84	32-8488-666
(Including-Office-	-0£		
Administration			
Power-Shovel	3139-0010-04	3259-00-18-73	3384-6819-45
Operator-(Maintenance)	nce		
Power-Shovel	3156-4818-14	9992-59	3453-6010-65
Operator-(Maintenance)	nce		
(Bridge-Grew)			
Security-Guard-E	2774-8815-94	2894-88-46-63	26-2400-6106
+	440-		000000000000000000000000000000000000000
Administration			
Security-Guard-II	2822-0026-23	2942-8816-91	4964-69-64
tinctuding-Office-of	of.		
Administration			
Silk-Screen	3144-00-18-07	3264-00-18-76	89-6488-6866

ILLINOIS REGISTER

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Operator

B≯	B) Bepartment-of-Central-Management-ServicesBivisionofVehicles
	Bownstate(AliCountiesOther-Than-Cook;-BuPage;-Kane;-Kankakee;
	Rendally-bakey-McHenry-and-Willy

	July-17-1994	₽66 ∓	July-17-1995	968	4414-17-1996	966
	Mo÷	HF	Mo÷	Hr	Mo-	Hr
Janitor-F	2747-00-15-79	-15-79	2867-8816-48	6÷48	2992-6817-28	-17-20
Janttor-II	2778-8815-97	-15-97	3898:8816:66	99-97	3023-0017-37	-17-37
Maintenance-Equip-	3040-00-013-47	-13-47	3160-00-10-16	9++8+	3285-0818-88	-18-88
ment-Operator-(all-divisions)	-division	48				
Maintenance-Worker	2984:0017:15	-17-15	3104-00-17-04	57÷84	955616-26	-18-56
Security-Guard-I	2774-0015-94	-15-94	2894-88-Fee	69-93	3019-00-17-35	-17-35
Security-Guard-II	2822-8816-22	-16-22	2942-00-16-91	+6-9∓	3067-00-17-63	-+7-69

+	3) BepartmentsofChildren-and-Family-Servicesy-Correctionsy-Employment Security-Mental-Health-and-BevelomentalBisabilitiesyPublicAidy
	Rehabilitation-Servicesy-State-Policey-Veterans-AffairsBownstate
	(AllCounties-Other-Than-Cook; - DuPage; - Kane; - Kankakee; - Kendall; bake;
	McHenry-and-Wilth

ancet

	4661-1-414P	July-17-1995	July-17-1996
	Mo- Hr-	Mo- Hr-	
daintenance-Equip-	3040-0017-47	3169-00-18-16 3285-00-18-8	3285-8818-88
ment-Operator			

P) Bepartment-of-Natural-Resources	stural-Resources		
	64±y-±7-±994 €	July-17-1995	July-17-1996
	Mo- Hr-	Mo- Hr-	Mo- Hr-
Power-Shovel	3139-00-18-04	3259+8818+73	3384:0019:45
(Maintenance)			

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

all, Lake, McHenry	
e, Kendal	
Kankake	
, Kane,	
DuPage	
Cook,	
Than	
Other	
Counties	and Will)

	Mo. Hr. 3538.00 20.33 3337.00 19.18 3410.00 19.60 3585.00 20.32 3585.00 20.60 3634.00 20.89	3703.60 21.29		3071.95 17.66 2882.70 16.57 2680.95 15.41 3604.00 20.71	3098.00 17.81 2907.00 16.71 2703.00 15.53 3212.00 18.46	3243.00 18.64 3413.00 19.61 3469.00 19.94		3604.00 20.71 3673.60 21.11
	July 1, 1998 Mo. 3423.00 19.67 3222.00 18.52 3295.00 18.94 3420.00 19.96 3470.00 3519.00 20.22	3588.60 20.62		2788.95 16.03 2594.70 14.91 3489.00 20.05	2813.00 16.17 2617.00 15.04 3097.00 17.80	3128.00 17.98 3298.00 18.95 3354.00 19.28		3489.00 20.05 3558.60 20.45
	Mo. Hr. 3318.00 19.07 3117.00 17.91 3190.00 18.33 3315.00 19.05 3365.00 19.34	3483.60 20.02	3285.00	2515.95 14.46 2384.00 19.45	2538.00 14.59 2992.00 17.20	3023.00 17.37 3193.00 18.35 3249.00 18.67		3384.00 19.45 3453.60 19.85
מזוח שודדד	Bridge Mechanic Bridge Tender Deck Hand Ferry Operator I Ferry Operator II Highway Maintenance	Highway Maintenance Lead Worker (Bridge Crew) Highway Maintenance	Lead Worker (Lead Lead Worker) Highway Maintainer (New Hire 7/1/97-6/30/98) (New Hire 7/1/98-6/30/99)	Highway Maintainer (Bridge Crew) (New Hire 7/1/97-6/30/98) (New Hire 7/1/98-6/30/99) (New Hire 7/1/99-6/30/2000) Highway Maintainer (Drill Rig)	(New Hire 7/1/97-6/30/98) (New Hire 7/1/98-6/30/99) (New Hire 7/1/99-6/30/2000) Janitor I (including Office of Administration)	Janitor II (including Office of Administration) Laborer (Maintenance)	Lead Worker Maintenance Worker (Including Office of Administration)	Power Shovel Operator (Maintenance) Power Shovel Operator (Maintenance)

REGISTER	
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

3124.00 17.95	Management Services - Division of Counties Other Than Cook, DuPage, Kane,	July 1, 1998 July 1, 1999 Mo. Hr. Mo. Hr. 0 3097.00 17.80 3212.00 18.46 7 3128.00 17.98 3243.00 18.64 8 3390.00 19.48 3505.00 20.14	15 3334.00 19.16 3449.00 19.82 15 3124.00 17.95 3239.00 18.61 13 3172.00 18.23 3287.00 18.89
	Silk Screen Operator 3389.00 19.48 34 B) Department of Central Managemen Vehicles - Downstate - (All Counties Ot Kankakee, Kendall, Lake, McHenry and Will)	July 1, 1997 Mo. Hr. Janitor I 2992.00 17.20 Janitor II 3023.00 17.37 Maintenance Equipment 3285.00 18.88 Operator	(all divisions) 3229.00 18.56 Maintenance Worker 3019.00 17.35 Security Guard II 3067.00 17.63

C) Department of Human Services - Lincoln Developmental Center

July 1, 1999	Mo. Hr. 3413.00 19.61	
July 1, 1998	Mo. Hr. 3298.00 18.95	
July 1, 1997	Mo. Hr. 3193.00 18.35	
	(Maintenance)	
	Laborer	

Departments of Children and Family Services, Employment Security, Human Services, Public Aid, State Police, Veterans' Affairs - Downstate - (All Counties Other Than Cook, DuPage, Rane, Rankakee, Kendall, Lake, McHenry and Will)

	July 1,	1997	July 1,	1998	July 1,	1999
	Mo. Hr.	Hr.	Mo. Hr.	Hr.	Mo. Hr.	Hr.
Maintenance Equipment	3285.00	18.88	3390.00	19.48	3505.00	20.14
Operator						

E) Department of Corrections - Downstate - (All Counties Other Than Cook, DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

July 1, 1999	Mo. Hr.	3604.00 20.71	
July 1, 1998	Mo. Hr.	3489.00 20.05	
July 1, 1997	Mo. Hr.	3384.00 19.45	
		Maintenance Equipment	Operator

NOTICE OF ADOPTED AMENDMENTS

Patrol - District #8

	July 1,	1997	July 1,	1998	July 1,	1999
	Mo. Hr.	Hr.	Mo. Hr.	Hr.	Mo. Hr.	Hr.
Highway Maintainer	3385.00	19.45	3490.00	20.06	3605.00	20.72
6/30/98)	2539.00	14.59	2814.00	16.17	3099.00	17.81
(New Hire 7/1/98-6/30/99)			2618.00	15.05	2908.00	16.71
(New Hire 7/1/99-6/30/2000)					2704.00	15.54
Highway Maintenance	3514.00 20.20	20.20	3619.00 20.80	20.80	3734.00 21.46	21.46
Lead Worker						
Highway Maintenance	3539.00 20.34	20,34	3644.00 20.94	20.94	3759.00 21.60	21.60
Lead Worker						
(Lead Lead Worker)						

G) Department of Natural Resources

1999	H.	20.71	
July 1,	Mo. Hr.	3604.00	
1998	Hr.	20.02	
July 1,	Mo. Hr.	3489.00	
1997	Hr.	19.45	
July 1,	Mo. Hr.	3384.00	
		Operator	
		ower Shovel (Maintenance
		Power	(Main

NOTE: Full-time employees who are receiving the flat-rate pension formula will receive a one-time lump sum payment of \$565, effective July 1, 1997.

(Source: Amended at 22 Ill. Reg. 16158章, effective

ILLINOIS REGISTER

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.TABLE S HR-012 (Fair Employment Practices Employees, SEIU)

Effective-July-17-1994

				S-4-1	S-F-E-F-S			
	41	Ch)	m	*	ιħ	θ	4	
ACCOUNT-TECHNICIAN-I	354	1853	1920	₹66₹	2 963	2138	5556	
ACCOUNT-TECHNICIAN-II	1945	2024	5 ± 0 0	2187	5567	5953	2484	
DATA-PROCESSING-ASSISTANT	1592	£647	1795	£363	1820	1881	±96±	
DATA-PROCESSING-OPERATOR	王春春王	±490	₹898	1582	₹63₽	¥688	11966	
BATA-PROCESSING-OPERATOR-TRAINEE	1964	±40 ±	1441	7489	369	1574	±647	
HUMAN-REGHTS-ENVESTEGATOR-E	2124	3316	2369	2412	2504	₹09₹	275 ±	
HUMAN-REGHTS-ENVESTEGATOR-EE	9663	2438	2549	5698	3466	2877	3647	
HUMAN-REGHTS-INVESTEGATOR-EFF	5444	2561	2689	295	3988	3024	€9 5 6	
HUMAN-REGHTS-SPECEALEST-E	2±24	5576	5369	2415	2564	₹09₹	275 ±	
HUMAN-REGHTS-SPECEALEST-EE	5930	2438	2549	2655	3466	2877	3647	
OFFICE-AIDE	₹964	140F	1441	±489	1532	1574	1647	
OFFICE-ASSISPANT	±540	₹865±	1644	£700	±759	1818	1961	
OFFICE-ASSOCIATE	1647	±7±0	1771	1030	£69±	₹96₹	5 966	
OFFICE-CLERK	2442	₹490	1538	±58 5	₹69₹	1688	₹366	
OFFICE-COORDINATOR	±7±0	2774	1949	₹966	₹96∓	2049	2155	
TECHNICAL-ABVISOR-II	2576	2942	2827	2955	3077	9499	9986	
TECHNICAL-ABVISOR-III	9696	976	9946	9495	3654	9 86	4643	

NOTE: Bffective--duly--ly--l994y-the-Step-7-rate-shall-be-increased-by-925+00
per-month-for-those-employees-who-have-attained-10-years-of--continuous
service--and--have--3-years-of-creditable-service-on-Step-7-in-the-same
pay-grade-

Also,-effective-July-ly-ly-ly-the-Step-7-rate--shall--be--increased--by \$50.00-per-month--for--those--employees-who-have-attained-l5-years-of continuous-service-and-have-3-years-of-continuous-service-and-have-3-years-of-the-same-pay-grade-

Bffective-July-17-1995

	-11	chi	m	*	ιψ	9	11-
ACCOUNT-TECHNICIAN-I	10 29	₹968	±978	2053	2125	2962	2924 2
ACCOUNT-TECHNICIAN-II	2 000	2002	5 763	2253	5992	5454	2559
DATA-PROCESSING-ASSISTANT	₹640	969₹	± 756	36 4 6	±875	+69	2041
BATA-PROCESSING-OPERATOR	748¢	₹99 2	±584	₹659	₹694	±730	£8±9
BATA-PROCESSING-OPERATOR-TRAINEE	1405 ·	£449	1484	₹ 294	±578	∓65 ∓	969₹
HUMAN-REGHTG-ENVEGTEGATOR-E	2100	2962	2378	2484	2579	5649	2834
HUMAN-REGHTS-ENVESTERATOR-EE	2400	2511	5655	2735	2849	£96 2	9+36
HUMAN-REGHTG-ENVEGTEGATOR-EEE	2527	8698	2760	3876	5663	9115	9966
HEMAN-REGHES-SPECEALEGE-E	2±00	2582	2378	2484	553	5649	5834
HUMAN-RIGHTS-SPECIALIST-II	949	2544	5658	2535	2849	5963	9+36

ILLINOIS REGISTER	DEPARTMENT OF CENTRAL MANAGEMENT SERVICES	NOTICE OF ADOPTED AMENDMENTS	Office Associate 1799 1868 1935 2009 2073 2144 2258 Office Clerk 1575 1628 1681 1728 1787 1835 1930 Office Coordinator 1868 1938 2014 2086 2164 2238 2356 Technical Advisor II 2815 2952 3089 3229 3362 346 3704 Technical Advisor III 3311 3481 3649 3819 3993 4159 4118	Effective July 1, 1999	S d E E	2323 2551	Processing Assistant 1792 1853 1919 1984 2049 2117	1577 1731 1780 1841 1577 1622 1676 1724	Z I Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z	Rights Investigator II 2751 2883 3016 3143 3270 3403	Rights Investigator III 2899 3041 3182 3326 3463 3601	Rights Specialist I 2392 2494 2598 2715 2818 2927	1577 1622 1676 1724 1772	1792 1850 1914 1973 2037	iate 1853 1924 1993 2069 2135 2208	<u>1622</u> <u>1677</u> <u>1731</u> <u>1780</u> <u>1841</u> <u>1890</u>	1924 1996 2074 2149 2229 2305	2899 3041 3182 3326 3463 3601	3585 3758 3934	C. M. C.	(Source: Amended at 22 III. Reg. 1010, effective AUG 31 1998)
16191 98			1696 1995 1915 1919 14919 14919	4164		7	2394	2636 2102	1874	1747	2919	3232	2919	3232	1747	2017	2192	1874	2287	3596	4289
			1621 1864 2021 1730 2110 2110	9936		9	2268	2497	1782	1670	2759	3052	2759	3052	1670	1920	2082	1782	2173	3394	4038
			1578 1996 1954 1664 2940	3764		ម ម ខេ	2189	2405	1735	1625	2656	2934	3083	2934	1625	1860	2013	1735	2101	3264	3877
- 1	RVICES		1534 1751 1893 1629 1966	9696	966	S T E	2115	2321	1678	1580	2559	2817	2559	2817	1580	1804	1950	1678	2025	3135	3708
	SEI	ENTS	######################################	3 44θ	1-1-1	т	2037	2228	1632	1529	2449	2704	2843	2704	1529	1744	1879	1632	1955	2999	3543
	ENT	5	711 711 711 711 711 711	rh .													_	Н	1882	2866	3380
ISTER	ANAGEMENT	AMENDM	# # # # # # # # # # # # # # # # # # #		97 July	2	1966	2148	1581	1486	2350	2586	2717	2586	1486	1689	1814	1581	H	17	
ILLINOIS REGISTER	CENTRAL MANAGEMENT SERVICES	NOTICE OF ADOPTED AMENDMENTS		3282	July 1, 1997 duly-1,-1996	1 2		2060 2148 1689 1747					2254 2350		1447 1486						3215

 $\begin{array}{c} 7\\ 2466\\ 2715\\ 2715\\ 1930\\ 1799\\ 3152\\ 3501\\ 3704\\ 3329\\ 1799\\ 2078\\ 2078\\ \end{array}$

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2025 22125 1799 1628 1531 2537 2799 2421 2664 1531 1740

1941 2122 2122 2122 1740 1575 1490 2425 2671 2815 2815 2322 2322 2322 2546 1490

Human Rights Investigator III Human Rights Investigator I Human Rights Investigator II

Human Rights Specialist I Human Rights Specialist II Office Aide Office Assistant

Account Technician II
Data Processing Assistant
Data Processing Operator
Data Processing Operator

Account Technician I

NOTE: Full-time employees will receive a one-time \$565 cash bonus.

Effective July 1, 1998

Commissary Manager II 1748 1798 Correctional Casework 3008 3096 Supervisor 2705 2784 Correctional Lieutenant 2451 2524 Corrections Clerk III 2451 2524 Corrections Clerk III 2705 2784 Corrections Identification 2569 2644 Supervisor 2705 2784 Corrections Industry Supervisor 2705 2784 Correctional Laundry Manager 2569 2644 II Corrections Maintenance 2569 2644 Supervisor 2451 2524 Supervisor 2451 2524
r ant I vice cation Supervi: Manager
Lieutenant llerk III 100d Servic 111 dentificat ndustry Su Laundry Ma
Corrections Clerk III Corrections Food Service Supervisor III Corrections Identificati Supervisor Corrections Industry Sup Correctional Laundry Man II Corrections Maintenance Supervisor
Supervisor III Corrections Identification Supervisor Corrections Industry Super Correctional Laundry Managn II Corrections Maintenance Supervisor
Corrections Identification Supervisor Corrections Industry Supervisor Correctional Laundry Manager II Corrections Maintenance Supervisor
Supervisor Corrections I Correctional II Corrections M Supervisor
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DEPARTMENT OF CEN	CENTRAL MANAGEMENT SERVICES	SEMENT SI	RVICES			DEPARTMENT OF CENTRAL MANAGEMENT SERVICES	RAL MANAGI	EMENT SER	RVICES		
NOTICE OF ADOPTED AMENDMENTS	арортер АМІ	SNDMENTS				NOTICE OF ADOPTED AMENDMENTS	OPTED AME	NDMENTS			
Corrections Clerk III	2525	2600	2676	2754	2879	Supervisor Catabatana - Catabat	166	9000	4	444	644
Corrections food service Supervisor III	00/7	2002	7007	2		Correctional-Laundry-Manager	2777	2856	2946	3625	9164
Corrections Identification	2646	2723	. 2804	2887	3022	EE Gorrections-Maintenance	5655	2730	2868	2888	3617
Corrections Industry Supervisor	2786	2868	2952	3040	3185	Supervisor	494	9	d	d	2100
Correctional Laundry Manager	7646	2/23	7804	7887	3022	Course tor-II	2602	0013	9992	2002	2017
Corrections Maintenance	2525	2600	2676	2754	2879	Corrections-Supply-Supervisor	₹262	900E	₹60€	916	399 5
Supervisor Corrections Residence	2525	2600	2676	2754	2879	Property-And-Supply-Clerk-III	₹996	£959	2 0±6	2071	2146
Counselor II						Storekeeper-HHH	8380	2387	2456	2527	5628
Corrections Supply Supervisor	2786	2868	2952	3040	3185	Houtel-Supervisor-In	1262	9996	3696	9+69	2000
Property And Supply Clerk III	1800	1852	1907	1961	2035				S-4-E-5-S	P-S	
Storekeeper III	2202	2267	2334	2403	2501		e	4	S.	9	n-
Youth Supervisor IV	2786	2868	2952	3040	3185		2224 2000	2902	da d th d th d	2449 000	2573
			E-	υ: p.			3481	3694	9779	986E	454
	κi	4		4	7		9359	3277	9468	3545	€ * ±€
	2106	2185	2253	2328	2448		348₹	9€9€	9446	9366	4154
	3711	3884	4050	4214	4468		996E	9446	9 2 54	9717	6666
	3330	3478	3619	3762	3983		3401	9694	9779	9366	4154
	3008	3132	3259	3389	3584		9456	D 17-13-13-13-13-13-13-13-13-13-13-13-13-13-	0.40 0.00 0.00	4444	10 m
	3159	3290	3422	3559	3768		9150	3277	3408	3542	9743
	3330	3478	3619	3762	3983		346±	969€	9779	9366	4154
	3159	3290	3422	3559	3768		333F	2962	2972	2449	5573
	3008	3132	3259	3389	3584		5736	2049	2945	3054	444
	3008	3132	3259	3389	3584	Commissary Manager II	1852	1903	1958	2013	2087
	2106	2185	2253	2328	2448	Correctional Casework	3150	3240	3335	3432	3598
	2606	2710	2809	2915	3078	Supervisor					
	3330	3478	3619	3762	3983	Correctional Lieutenant	2838	2919	3003	3091	3236
Mavimum Sourity Institutions Schodule	v Tnetitut	And Sch	ماساه			Corrections Food Service	2838	2919	3003	3091	3236
Effectiv	Effective July 1, 1999	1999				Supervisor III	0026	2776	2000	2020	2074
			E	O.		Supervisor	000	0117	2007	6667	200
	10	116	rg r	4	2	Corrections Industry Supervisor	2838	2919	3003	3091	3236
Commissary-Manager-II	₹90€	₹959	50±6	2 07±	2±48	Correctional Laundry Manager II	2698	2775	2855	2939	3074
Correctional-Casework	3242	9996	9494	9599	9764	Corrections Maintenance	2576	2651	2727	2806	2930
Supervisor	6	0				Supervisor	2536	1 3 3 6		0000	0000
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Corrections-crerring Corrections-Pood-Service	2662	3666	3695	9163	4000 6000 6000	Corrections Supply Supervisor III	2838	2919	3003	3091	3236
Supervisor-EEE						Property And Supply Clerk III	1852	1903	1958	2013	2087
Corrections-Identification	2777	5856	294B	3025	9+64	Storekeeper III	2254	2319	2385	2454	2552

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Youth Supervisor IV	2838	2919	3003	3091	3236	1)	Heading of the Revocation of L
			STEP	S d			
	m	41	lO.	9	7	2)	Code Citation:
	2158		2304	2379	2500		
	3763		4101	4265	4520	3)	Section Numbers
	3381		3671	3813	4035		1730.10
	3059		3310	3440	3636		1730,15
	3381		3671	3813	4035		1730.20
	3211		3473	3610	3819		1730.30
	3381		3671	3813	4035		1730,40
	3211		3473	3610	3819		1730.50
	3059	3184	3310	3440	3636		1730.60
	3029		3310	3440	3636		
	3381		3671	3813	4035	4)	Statutory Author
	2158		2304	2379	2500		Illinois Commerc
	2657		2860	2966	3129		
	3381		3671	3813	4035	2)	Effective Date
(Source: Amended at	22 111.	Reg.	6 1 5 0	_, eff	effective	(9)	Does this rulema

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ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Imposition of Sanctions Including the Suspension or Revocation of Licenses and/or the Assessment of Civil Penalties
- 2) Code Citation: 92 Ill. Adm. Code 1730

**							
Action							
Proposed	Repealed						
Section Numbers:	1730.10	1730.15	1730.20	1730.30	1730.40	1730.50	1730.60
_							

- Statutory Authority: Implementing and authorized by Section 18a-200 of the Illinois Commercial Transportation Law [625 ILCS 5/18a-200]
-) Effective Date of Repealer: September 1, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Commission offices at 527 E. Capitol Avenue, Springfield, Illinois and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 10/24/97, 21 Ill. Reg. 13955
- 10) Has JCAR issued a Statement of Objections to this Repealer? No
- 11) <u>Difference(s) between proposal and final version</u>: The proposal and the final version are the same.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this repealer replace an emergency repealer currently in effect? No
- 14) Are there any amendments pending on this Part?

S_N

15) Summary and Purpose of Amendment:

This Part is being repealed and the subject matter is being consolidated with other rules pertaining to relocation towing at Part 1710, which amendments are adopted in this issue of the $Illinois\ Register$.

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED REPEALER

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Repealer							
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this			ion			80	
egarding			e Commiss	Avenue		62794-92	
questions		Kathy Campbell	Illinois Commerce Commission	527 East Capitol Avenue	P.O. Box 19280	Springfield, IL 62794-9280	(217)785-4869
and		Kat	111	527	P.0	Spr	(21
Information and questions regarding this adopted Repealer shall be	directed to:						

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NOTICE OF ADOPTED AMENDMENT

Towing
Relocation
Part:
Heading of the

1710
Code
Adm.
111.
92
Citation:
Code

Adopted Action Amended	Amended	Amended	Amended	Amended	Amended	Amended	Amended	Amended	Added	Added	Added	Added	Added	Added	Amended	Amended	Amended	Amended																					
Section Numbers:	710.2	1/10.22	7.7	1710.40	1710.41	1710.42	1710.43	1710.44			710.4	10.4	1710.50	1710.51	1710.52	1710.71	1710.80	10.8	710.9	10.9	10.9	1710.100	10.1	1710.122	1710.123	1710.130	7	1710.134	7	710.14	7	1710.143	1710.144	1710.145	1710.146	1710.150	1710.151	.17	1710.180

Statutory Authority: Implementing Section 18a-100 and authorized by

4)

NOTICE OF ADOPTED AMENDMENT

Relocation of Trespassing Commercial Vehicles Law [625 ILCS 5/18a-100 and 18a/200] the Illinois of Section 18a-200

- Effective Date of Amendment: August 31, 1998 (9
- Does this rulemaking contain an automatic repeal date? No (9
- 8 Does this amendment contain incorporations by reference? 7)
- A copy of the adopted amendment, including any material incorporated by reference, is on file in the Commission offices at 527 E. Capitol Avenue, Springfield, Illinois and is available for public inspection. 8
- Notice of Proposal Published in Illinois Register: 6

21 Ill. Reg. 13960 10/24/97

- 8 Has JCAR issued a Statement of Objections to this amendment)? 10)
- the Difference(s) between proposal and final version: The proposal and final version are the same 11)
- the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Have all 12)
 - effect? in currently Will this amendment replace an emergency amendment 13)
- No Are there any amendments pending on this Part? 14)

NO

Section Numbers Proposed Action Illinois Register Citation

- Summary and Purpose of Amendment: These proposed rules represent a rewrite the Relocation Towing rules intended to update references and to clarify current administrative and enforcement practices. οĘ 15)
- Information and questions regarding this adopted (Ruel, Amendment, Repealer) shall be directed to: 16)

Kathy Campbell

Illinois Commerce Commission

527 East Capitol Avenue P.O. Box 19280

62794-9280 Springfield, IL

(217)785 - 4869

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

CHAPTER III: ILLINOIS COMMERCE COMMISSION SUBCHAPTER d: RELOCATION TOWING TITLE 92: TRANSPORTATION

RELOCATION TOWING PART 1710

SUBPART A: MISCELLANEOUS PROVISIONS

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Section 1710.10

SUBPART B: APPLICATIONS FOR RELOCATOR'S, OPERATOR'S AND DISPATCHER'S LICENSES

Application Forms Section 1710.20

Notice of Applications 1710.21

Policy on Applications 1710.22

SUBPART C: RELOCATOR'S, OPERATOR'S AND DISPATCHER'S LICENSES

Licenses Conditioned Upon Compliance Licenses To Be Carried by Holder Section 1710.30 1710.31

Alteration of Licenses Relocator's License 1710.32

SUBPART D: PROHIBITED ACTIVITIES

Relocating Vehicles From Private Property Without Authorization From Relocating Vehicles From Authorized Spaces 1710.40 1710.41

Section

Relocation of Vehicles Not in Accordance with Proper Posting Property Owner 1710.42

Relocating Vehicles Where Owner or Driver is Present 1710.43

Operation of Unsafe Vehicles 1710.44

Posting Signs At Locations Where the Relocator Is Not Authorized Transacting Business at Unauthorized Locations 1710.45

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Certain Types of Compensation to Relocators Prohibited Compensation to Property Owners and Others Operate 1710.47

SUBPART E: POSTING OF SIGNS

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Posting Requirements

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1710.51	Sign Specifications Removal of Signs		
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Section 1710.60	Vehicle Identification Requirement	1710.131 1710.132 1710.133	Security Attendan Maintena
	SUBPART G: INSURANCE REQUIREMENTS	1710.134	Secondar
Section 1710.70 1710.71 1710.72	Licenses Conditioned Upon Compliance With Insurance Requirements Proof of Insurance or Bond Coverage Relocator's Liability	Section 1710.140 1710.141	Impositi Informal
	SUBPART H: REQUIRED NOTIFICATIONS	1710.142	Initiati Failure
Section 1710.80 1710.81	Notification of Law Enforcement Agencies Notification of the Commission	1710.144 1710.145 1710.146	Service Standard Payment
	SUBPART I: BOOKS AND RECORDS		
Section 1710.90 1710.91 1710.92 1710.93	Records of Individual Relocation Tows (Repealed) Written Authorizations to Relocate/Contracts Accounting and Maintenance of Books and Records Audit and Inspection of Books and Records	Section 1710.150 1710.151 1710.152	Adoption Supervis Leases t
	SUBPART J: ANNUAL REPORTS	Section	
Section 1710.100	Filing Requirements	1710.160	Fees
	SUBPART K: INFORMATION PROVIDED TO THE PUBLIC BY RELOCATORS	Section	
Section 1710.110 1710.111	Public Information Pamphlets Informal Complaint Form	1710.170 1710.171 1710.172	Relocati Use and Public N
	SUBPART L: RECLAIMING RELOCATED VEHICLES		ns
		1710.180	Disposit

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ection	
710.130	Ownership and Identification of Storage Lots
710.131	Security of Storage Lots
710.132	Attendance at Storage Lots
710.133	Maintenance of Records at Storage Lots
710.134	Secondary Storage Lots

SUBPART N: ENFORCEMENT

	1 Imposition of Sanctions Revocation-of-bicenses	Informal Settlement in Lieu of Formal Proceeding		,	Service of Order	5 Standards for the Assessment of Civil Penalties	6 Payment of Civil Penalties	
Section	1710.140	1710.141	1710.142	1710.143	1710.144	1710.145	1710.146	

SUBPART O: LEASING

ICCT OIL	
710.150	Adoption-by-Reference-of Leasing Requirements
710.151	Supervision and Control of Leased Equipment with Drivers
710.152	710.152 Leases to be Exclusive

Supervision and Control of Leased Equipment with Leases to be Exclusive	SUBPART P: FEES	Fees	SUBPART Q: RECORDS OF INDIVIDUAL RELOCATION	Relocation Tow Record Form Use and Retention of Relocation Tow Record Forms Public Notice
1710.151		Section 1710.160		Section 1710.170 1710.171 1710.172

TOWS

UBPART R: DISPOSITION OF UNCLAIMED VEHICLES

Disposition of Unclaimed Vehicles 1710,180

AUTHORITY: Implementing Section 18a-100 and authorized by Section 18a-200 of the Illinois Commercial Relocation of Trespassing Vehicles Law [625 ILCS 5/18a-100 and 18a-200].

Conditions Under Which Vehicles Are To Be Released Identification of Vehicle Owner or Driver Payment of Fees and Chargers
Hours During Which Vehicles May Be Reclaimed

1710.120 1710.122

Section

SOURCE: Adopted at 3 Ill. Reg. 22, p. 49, effective May 28, 1979; amended at 7

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III. Reg. 4142, effective April 1, 1983; codified at 8 III. Reg. 8912; Part recodified at 10 III. Reg. 18012; old Part repealed and new Part adopted at 11 III. Reg. 17718, effective October 15, 1987; peremptory amendment at 12 III. Reg. 1630, effective December 23, 1987; amended at 14 III. Reg. 10310, effective July 1, 1990; amended at 18 III. Reg. 8609, effective May 20, 1994; expedited correction at 18 III. Reg. 15646, effective May 20, 1994; amended at 22 III. Reg. 10310.

SUBPART A: MISCELLANEOUS PROVISIONS

Section 1710.10 Definitions

The following terms, when used in this Part, shall have the meanings ascribed to them in this Section.

"Addendum". A supplement to an existing lease.

"Commission; The means-the Illinois Commerce Commission.

"Equipment". Any truck designed or altered and equipped for and used to push, tow or draw vehicles by means of a crane, hoist, tow bar, towline or auxiliary axle, and rollback carriers when used to transport vehicles.

"Lawr". The means-the Illinois Commercial Relocation of Trespassing Vehicles Law [625 ILCS 5/Ch. 18a]. (#14-Rev-Stat:-19857-ch:-95-1/27 par:-18a-180-et-seq:)

"Lease", A written document vesting possession, use, control and responsibility in the lessee during the periods the vehicle is operated by or for the lessee.

"Lessee". In a lease, the party acquiring the use of equipment, with or without driver, from another.

In a lease, the party granting the use of equipment, with

"Lessor".

or without driver, to another.

"Owner". A person to whom title to equipment has been issued, or who without title, has the right to exclusive use of equipment for a period longer than 30 days, or who has lawful possession of equipment.

registered and licensed in any state in the name of that person.

"Relocated,", "relocating,", and "relocation", Refer refer to the towing of trespassing vehicle from private property. A tow from public property is not a relocation tow. A tow from private property pursuant to explicit authorization from the vehicle owner or owner's agent is not a relocation tow.

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(Source: Amended at 22 III. Reg. 16200., effective

SUBPART B: APPLICATIONS FOR RELOCATOR'S, OPERATOR'S, AND DISPATCHER'S LICENSES

Section 1710.21 Notice of Application

(Source: Amended at 22 Ill. Reg. 16200, effective

Section 1710.22 Policy on Applications

-) Relocator's Licenses.
- 1) The Commission shall consider, with regard to applications for new or renewed relocator's licenses, the criminal conviction records (see Section 1710.22(b)(1)) of the applicant, its owners or controllers, directors, officers, employees and agents, the safety record of said persons, the compliance record of said persons, the equipment, facilities and storage lots of the applicant, and other facts which may bear on their fitness to hold the license applied for.
 - 2) The Fitness Test.
- A) No person shall be deemed fit to hold a relocator's license unless the person:
- i) Owns, or has exclusive possession of under a written lease with a term of at least 1 year, at least one storage lot which meets the requirements of Subpart M;
 - Employs sufficient full-time employees at each storage lot to comply with Section 1710.123;
- iii) Owns or has under exclusive lease at least 2 tow trucks dedicated to use under the relocator's license;
- iv) Employs at least 2 operators tow-truck-drivers.
- B) If the person is a applicant for a new relocator's license or the extension of a relocator's license, the requirements of subsection (a)(2)(A) must be met at the time of the
- C) If the person is an applicant for renewal of a relocator's license, the requirements of subsection (a)(2)(A) must have been met throughout the previous year.
 - b) Operator's and Dispatcher's Licenses

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- 1) Grimes-Gonsidered-by-Gemmission. The Commission shall consider, with regard to applications for new or renewed operator's and dispatcher's licenses, any record of the applicant of convictions involving injury or death to persons, use of a deadly weapon, injury to property, or unlawful taking of property; crimes relevant to the determination of the credibility of a witness; or of violation of the Law or this Part.
 - within the 5 year period preceding filing of the application, or to persons who are defendants in pending criminal proceedings provisional temporary license on the basis of violations of the Law or this Part, the Commission will consider such factors as the type of violation, when the violation occurred, and the age of the applicant at the time of the violation. The Commission may also deny a provisional temperary license on the basis of the criminal or driving record, in the case of an application for a provisional temperary operator's license; or on consider such factors as the type of crime, when the crime Temporary-bicense-Applications-No provisional temporary licenses shall be issued to persons who have been convicted of such crimes temporary license to any person with a record of violations of the Law or this Part. In determining whether to deny a application for a provisional temperary dispatcher's license. In the basis of a criminal or driving record, the Commission will occurred, and the age of the applicant at the time of the The Commission may deny a provisional determining whether to deny a provisional temporary license the basis of the applicant's criminal record, in the case of involving such crimes. 5)
- 3) Permanent-License-Applications-Where the applicant has a record of convictions for such crimes, or where the applicant was convicted for such crimes, or where the applicant was convicted more than 5 years prior to filing the application, or where the applicant has a record of violations of the Law or this Part, the application for a permanent license shall be set for hearing.
- application for a permanent license shall be set for hearing.

 4) Applications shall be accompanied by written proof from the Secretary of State that the applicant has a valid driver's
- c) In making the finding that an applicant previously convicted constitutes no threat to public safety (see 625 ILCS 5/18a-404(c)) ill.-Rev.-Stat.-1985,-ch.-95-1/2,--par.--18a-409(c)), the Commission will consider such factors as the findings of the convicting court, the sentence imposed, the age of the applicant at the time of conviction, the age at the time of application, the nature of the arrest, and the length of time since the arrest that resulted in the conviction.

(Source: Angrided 1998t 22 111. Reg. 16200 -

effective

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SUBPART C: RELOCATOR'S, OPERATOR'S AND DISPATCHER'S LICENSES

Section 1710.31 Licenses to be Carried by Holder

- a) Reiocator*s-bicenses.Each vehicle operator under authority of a relocator's license must carry a copy of the license in its cab. The copy shall be presented to any investigator or enforcement officer of the Commission on request.
- b) Operator's and Dispatcher's Dicenses: Each operator and dispatcher must carry the operator's or dispatcher's license issued to him at all times while on duty. The license shall be presented to any investigator or enforcement officer of the Commission on request.

(Source: Amended at 22 III. Reg. 16200., effective

Section 1710.33 Relocator's Endorsement of Operator's License

- a) Bndorsement--required-Operators are licensed to operate only under authority of a relocator's license. As evidence that operations are under authority of a relocator's license, an owner or officer of the relocator must endorse the license by completing a form showing:
- The name and license number of the operator as they appear on the operator's license;
- The name and license number of the relocator, as they appear on the relocator's license; and
- 3) A statement that "the referenced operator's license is endorsed by the referenced relocator," followed by the signature of the owner or officer and a statement of the capacity of the signatory.
 - b) Making--and-cancellation-of-endorsements-Endorsements of an operator's license, once made by a relocator, shall become effective only when a copy is filed with the Commission. The endorsement shall remain in effect until written notice of cancellation is filed with the Commission.
- c) Operation-without-endorsement-Operation under an operator's license which does not have a valid, current endorsement by a licensed relocator is not authorized by the relocator's license and shall constitute relocating without a license in violation of Section 18a-300(1) of the Law [625_1LGS_5/18a-300(1)] (#1#1-Revi--Stat:-1995; eh:-95-1/2;-par:-180-300(1))
- d) Bmptoyment-or-use-of-operator-without-endorsement.Employment or use of any operator who does not have a valid, current endorsement by the relocator shall constitute the employment or use of an unlicensed operator in violation of Section 18a-300(2) of the Law [625 ILCS 5/18a-300(2)] (filt:-Rev:-Stat:-1995;-ch:-95-i/2;-par:-18a-300(2)).
 - e) Bndorsement-to-be-carried--in--vehicle-A valid, current endorsement shall be affixed to and carried in the vehicle with the operator's

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license at all times when the vehicle is being operated under authority of the relocator's license.

(Source: Amended at 22 Ill. Reg. 16200 = , effective

SUBPART D: PROHIBITED ACTIVITIES

Section 1710.40 Relocating Vehicles From Authorized Spaces

- a) No vehicle shall be relocated if it is parked in a space on private property where it is authorized to be parked.
- Relocated vehicles must be towed directly from the initial point of the tow to the relocator's facility that is indicated on the relocator's signs posted on the property in conformance with Section 1710 51

(Source: Amended at 22 Ill. Reg. 16200 -, effective

Section 1710.41 Relocating Vehicles From Private Property Without Authorization From Property Owner

- a) No vehicle shall be relocated from private property without express, written authorization from the property owner, lessee, or agent in
 - conformance with Section 1710.91.

 D) The authorization must either direct the relocator to remove the specific vehicle in question or authorize the relocator to remove all unauthorized vehicles from the property.

(Source: Amended at 22 Ill. Reg. 16200 = effective

Section 1710.42 Relocation of Vehicles Not in Accordance with Proper Posting

- a) Relocating-vehicles-from-unposted-lots-No vehicle shall be relocated from a lot which does not, at the time of the tow and for at least 24
- hours prior thereto, have signs posted in compliance with this Part.

 b) Rejocating vehicles—to-unposted—lot.No vehicle shall be relocated to a storage lot or facility that is not identified on signs posted in compliance with Section 1710.50 at the location from which the vehicle is relocated. No vehicle shall be subsequently transported to any other lot or facility except in compliance with Section 1710.134.

(Source: Amended at 22 111. Reg. 16200; effective

Section 1710.43 Relocating Vehicles Where Owner or Driver is Present

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No vehicle shall be relocated where the owner of the vehicle or the owner's agent is present or arrives on the scene before the vehicle is completely removed from the private property, produces the ignition key to the vehicle, and offers-to-rimmediately-remove--the--vehicle--from--the--private--property-provided--that the owner or agent is able and does immediately remove the vehicle from the private property.

(Source: Amended at 22 III. Reg. 16200 = effective ANG 31.1998 ...)

Section 1710.44 Operation of Unsafe Vehicles

No relocator shall operate any vehicle which does not display a valid Illinois Safety Test Inspection Sticker and conform to the requirements of 625 ILCS 5/12-606, has-not-been-inspected-and-passed-by-the-filtinois-Bepartment-of Transportation;

(Source: Amended at 22 III. Reg. 15200 -, effective

Section 1710.45 Transacting Business at Unauthorized Locations

No relocator, relocator agent, or operator shall transact any part of the relocator's tes business, other than the identification of vehicles to be relocated and the transportation of relocated vehicles to the relocator's storage lot, at any location until after the relocator has given notice of the location to the Commission in accordance with this Part.

(Source: Add 31 1998 at 22 Ill. Reg. 16200 ; effective

Section 1710.46 Posting Signs at Locations Where the Relocator Is Not Authorized to Operate

- a) No relocator shall post a sign at a location in an incorporated area more than 10 air miles from a storage lot to which the relocator can relocate vehilces in compliance with this Part.
 - b) No relocator shall post a sign at a location in an unincorporated area more than 15 air miles from a storage lot to which the relocator can relocate vehicles in compliance with this Part.

(Source; Amended at 22 Ill. Reg. 16.200=, effective

Section 1710.47 Certain Types of Compensation to Relocators Prohibited

a) Except as provided in subsection (b) of this Section, no relocator shall demand, collect, or receive anything of value or compensation

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for or in relation to its relocation business:

- person other than the relocated vehicle's owner or owner's agent of-the-relocated--vehicle, except according to terms in the contract entered into between the property owner or lessee and or from any From the property owner, lessee, or their agents, the relocator;
- From the vehicle owner, lessee, or their agents: 2)
- private property from which the vehicle was relocated; Greater than the amount posted on the signs A)
- Greater than or other than the rates prescribed by the Commission; or B)
- Where the relocation was not performed in compliance with the Law and this Part. Û
- fees prescribed by the Commission need not be posted on signs at locations from which vehicles are towed, but must be posted at locations at which vehicles may be reclaimed. Storage (q

, effective 111. Reg. 1 6 200 22 AUG 3 1 1998 (Source: Amended

Section 1710.48 Compensation to Property Owners and Others

- relocator, its agents, or employees to the owners or operators of the be paid for the privilege of removing or towing vehicles by the premises from which a vehicle is removed or towed Nething-of-any-value No rebate, payment of money, or any other valuable consideration shall shall-be-offered-or-given-by-a-relocator-to-any-property-owner. a)
 - No person other than a director, officer, partner, stockholder, or agent of the relocator shall receive from a relocator compensation for or in relation anything of value or relocator's business. (q

effective 16200 = Reg. 111. 22 at 116 3 1 1998 Amended (Source:

SUBPART E: POSTING OF SIGNS

Section 1710.50 Posting Requirements

be posted on each lot from which a relocator is authorized to remove Signs meeting the specifications of Section 18a-302 of the Law [625 ILCS 5/18a-302] (#14t--Rev:-Stat:-1985;-ch:-95-1/2;-par:-18a-302) and Section 1710.51 unauthorized vehicles. Such signs must be posted at least 24 hours before any vehicle is relocated from the lot.

effective 16200= 111. (Source: Amended at

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Section 1710.51 Sign Specifications

- relocated must be in characters at least 3 inches in height, in colors contrasting with the background of the sign. Other portions of the sign must be in characters at least 1 inch in height, in colors Those portions of the sign warning that unauthorized vehicles will be likewise contrasting with the background of the sign.
 - tot...The.statement-may-refer-to-classes-of-persons;...as--well--as A--general--statement-indicating-who-is-authorized-to-park-on-the Each sign must contain the following information: individuals Q Q
 - A warning that unauthorized vehicles will be relocated; 12)
- relocator, and the address and telephone number of the location The full legal name of the relocator as it appears on the to which the vehicle will be relocated and at which it can relocator's license, the address and telephone number of reclaimed, if different from the address of the relocator;
- o£ payment which will be accepted by the relocator, provided that no The maximum fee which the relocator will charge the vehicle's owner or owner's agent of--the--webicle as a condition of on the form of acceptable reclaiming the vehicle, and any restrictions on the form payment that is contrary to Section 1710.122(a); and sign shall indicate a restriction 34)
- The hours during which the owner or owner's agent can reclaim the vehicle, and when the relocator is closed to the public due to observation of holidays or otherwise. To the extent that a sign does not show limitation on hours or days when the vehicle can be reclaimed, the sign shall constitute a representation that the vehicle can be reclaimed at any time or on any day. 45)
 - Such--signs--must--be--located--within-50-feet-of-any-space-from-which vehicles-may-be-relocated. to
- both--during--the--day--and--at-night; free of any natural or man-made day and night, and, where there are no entrances or exits designated by curb cut or otherwise, such signs must be located within 100 feet Such signs must be visible-and-readable-from-all-entrances-and--exits; interference and visible from each entrance and exit, both during the of any space from which vehicles may be relocated. Cd)
 - No more than one location to which the vehicle may be relocated and at which the vehicle can be reclaimed shall be identified on any sign or posted at any lot from which vehicles may be relocated. de)
- All posting is subject to Commission inspection and approval. ə

Reg. 111. 22 (Source: Amended at

effective

Section 1710.52 Removal of Signs

The relocator must remove all signs from private property within 10 days after:

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the--contract-with-the-property-owner;-lessee;-or-agent-expires;-or-the-written authorization-is-withdrawn-

- the relocator receives notice of termination of the contract; or
 - the contract with property owner, lessee or agent expires; or
- authorization from the property owner, lessee or agent is withdrawn. ল বা বা

effective Reg. 1620 111. 22 at AHG 3 1 1998 (Source: Amended

SUBPART G: INSURANCE REQUIREMENTS

Section 1710.71 Proof of Insurance or Bond Coverage

- such higher levels of coverage as stated in the policy or set forth on the certificate of insurance, and shall bind the insurance company E, H, and K prescribed by the Commission or on forms prescribed by the Highway Administration) under 49 CFR 1023 as of December 1, 1986. The filing of such proof shall constitute acceptance of the minimum terms required by Section 18a-301 of the Law [625 ILCS 5/18a-301] {###-Rew-Stat:--1985,--ch:--95-1/27--par:-18a-301), prescribed in this Part, or Such coverage shall remain in effect until a cancellation form is filed with the Commission or the coverage is superseded by Proof of insurance or bond coverage or cancellation shall be on forms Federal the filing a subsequent certificate of insurance. Mou) Commission Commerce Interstate thereto.
- No incorporation in this Section adopts any later amendments or editions. (q

effective 16200= Ill, Reg. 22 at 100 3 1 1998 (Source: Amended

SUBPART H: REQUIRED NOTIFICATIONS

Section 1710.80 Notification of Law Enforcement Agencies

- Not later than 1 hour after a vehicle is relocated, the relocator shall notify the law enforcement agency having jurisdiction in the area from which the vehicle was relocated. Such notification shall be confirmed in writing by first class U.S. mail within 24 hours after the vehicle is relocated and shall include all information set forth in subsection (c).
- for a period of 15 days after having been towed shall, within 5 days The report shall be made to the municipal police having jurisdiction over the location from which the vehicle was towed if the vehicle was towed from a location within the corporate limits of any city, village Any relocator in possession of a vehicle that has remained unclaimed after the expiration of that period, report the vehicle as unclaimed. or incorporated town. The report shall be made to the County Sheriff a

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outside of the corporate limits of a city, village, or incorporated or State Police having jurisdiction over the location from which the vehicle was towed if the vehicle was towed from a location that

Notification shall include: G)

The name, address, and telephone number of the relocator; The license number of the relocator;

The color, make, model, and license number of the vehicle relocated;

3)

The date and time of the relocation; and

The address of the property from which the vehicle was relocated, and the address to which the vehicle was relocated; and-5)

the Vehicle Identification Number (VIN). (9

, effective Reg. 111. 22 at AUG 3 1 1998 (Source:

Section 1710.81 Notification of the Commission

- must be notified in writing of the address and telephone of each facility at which the relocator will conduct any part of its business before any business may be transacted by the relocator at that dispatching stations, storage yards, and any other locations used in bocations-at-Which-the--Relocator--Transacts--Business-The Commission include offices, location. Locations subject to this requirement the conduct of the relocator's business. ه (ه
- persons who hold greater than 5 percent ownership or control in the Ownership-and-Control-Of-Relocator. The relocator must notify the Such notification must be given within 7 calendar days Commission in writing of any change in the names and addresses of after the change occurs. relocator. Q Q

Criminal Records. G

- The relocator must notify the Commission immediately in writing officer, employee or agent of a relocator for crimes of the type which would be considered in granting or denying a relocator's of the arrest or conviction of any owner, controller, director, license.
- Any owner, controller, director, officer, employee, or agent of a relocator must notify the relocator immediately, in writing, of his or her arrest or conviction for crimes of the type which would be considered in granting or denying a relocator's license. 2
 - the employment, actions of an operator or dispatcher within the scope of his employment will be imputed to the relocator until the receipt stamp or Empioyment-Status-of-Operators-and-Dispatchers- The relocator must termination or leave of absence of any operator or dispatcher. postmark date of the notice of termination or leave of absence. notify the Commission immediately in writing of q q

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effective 16200 -Reg. 111. 22 a AUG 3 1 1998 (Source: Amended

BOOKS AND RECORDS SUBPART I:

Section 1710.91 Written Authorizations to Relocate/Contracts

Each relocator shall maintain a file of all written authorizations to relocate vehicles, and contracts relating thereto. а Э

Each contract between a relocator and one or more property owners, lessees, or agents shall state: (q

The name of the relocator and all other parties to the contract; The location of each property to which the contract applies;

A description of all services to be provided by the relocator; 3) 2)

description of all compensation to be received by relocator. Ø 4)

contract shall also provide that: Each G

Signs posted on the property in compliance with this Part are the property of the relocator; 1

The relocator has the right to enter the property for purposes of posting and removing signs; 2)

days notice; 10 The contract shall not be terminated except on and 3)

The contract is the exclusive statement of terms between the parties. 4)

The provisions required under subsection (c) shall be implied if not expressly stated in the contract. g)

The provisions of subsections (c)(1) and (c)(2) shall remain in effect (e

until all signs have been removed by the relocator, notwithstanding the termination of the contract for other purposes.

Contract Summary. (J

No authorization to tow or contract shall be effective until a completed copy of the Commission's Relocator Contract Summary by U.S. mail, hand delivery, facsimile, electronic filing, and accepted by the Commission. authorization the form covering filed/received

for any lot at any time. No other authorization or contract shall become effective until the prior authorization has been in effect with of cancellation is filed Only one & authorization to tow or contract shall be notice and Commission. cancelled 2)

Relocator Contract Summaries and notices of cancellation shall be filed with the Commission at the following address: 3)

188-Industrial-Brive,-Suite-232 Illinois Commerce Commission Transportation Division Elmhurst,-Ib--60126

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Des Plaines, Illinois 60016 477 South River Road

effective 16200 Reg. 111. 22 UG 3 1 1998 Amended (Source:

Section 1710.92 Accounting and Maintenance of Books and Records

relocator shall comply with generally accepted accounting principles for use in the keeping and recording of their accounts and bookkeeping records. a)

incorporates by reference "Accounting Standards" (June 1992) of the principles, accounting Financial Accounting Standards Board. accepted a

books, records and memoranda which support in any way the entries to such accounting books and analyses of general ledger account balances so that it can furnish at any time full information as to any account. Moreover, it shall support each entry to each account with such detailed information as will provide a ready analysis and verification Each relocator shall keep its general accounting books and all other of the facts recorded therein. All expenditures must be definitely expenditures incurred. All revenues must be supported by freight bills or, in the case of income from a lease, other documentation canceled checks, for petty cash payments, or other evidence of receipted bills, supported by vouchers, payrolls, receipts d

account in a limited technical sense but all other correspondence, memoranda, etc., that will be useful in developing the history of or which evidences the revenue received. The books referred to in this Section include not only books facts regarding any transaction. q

Any relocator engaged directly or indirectly in any other than a relocation business shall keep separate and distinct records relocation operation. e

Each carrier shall keep its books on the basis of an accounting year of 12 months ending on December 31 of each year. 듸

Each relocator shall preserve such books, accounts, records memoranda for a period of at least 3 years. 덖

Commission shall at all times be notified of the location at which the Each relocator shall maintain its books and records for 3 years at its principal place of business or at the office of its accountant. books and records are being kept. q

effective 6200 Reg. 111. 22 (Source: AUG Pde 4998 at

Section 1710.93 Audit and Inspection of Books and Records

Each relocator shall permit any investigator, police officer, or auditor of the

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Commission to inspect or audit its books and records, on request, at any time when the relocator is open to the public.

effective Reg. 111. 22 at AUG 3 1 1998 (Source: Amended

SUBPART J: ANNUAL REPORTS

Section 1710.100 Filing Requirements

The report shall be on the Commission's Each relocator shall complete and file with the Commission not later than May of each calendar year an annual report for the preceding calendar year for its relocation operations only. Relocator Annual Report form.

effective 16200= Reg. 111. 22 (Source: Allended 1998at

SUBPART L: RECLAIMING RELOCATED VEHICLES

Section 1710.120 Conditions Under Which Vehicles Are To Be Released

- forms specified in Section 1710.122, a relocator operating pursuant to and-this--Part--shall--be--required--to--relinguish--possession--of--a retocated -- wehicle -- only -- where Where a properly identified person has license issued by the Commission and in compliance with the Law and this Part shall be required to relinguish possession of a Release-by-bicensed-Relocators:--A-relocator-operating-pursuant--to--a valid--license-issued-by-the-Commission-and-in-compliance-with-the-baw tendered payment at rates prescribed by the Commission in one of relocated vehicle:
 - immediately, if the vehicle is stored in the relocator's primary
- storage lot; or if the vehicle is stored in a secondary lot, within a reasonable not to exceed 2 hours if the foregoing conditions for A) 7

release are satisfied before 5:00 p.m. on a weekday; or

Release-by-Unlicensed-Relocators-A relocator operating without a valid license issued by the Commission or in violation of the Law or this Part shall immediately relinguish possession of a relocated vehicle to a properly identified person on demand without demanding payment or not later than 10:00 a.m. the following day otherwise. imposing other conditions for release of the vehicle. (q

16200= Reg. 111. त्रणहार्थेचे 1998 (Source:

Section 1710.122 Payment of Fees and Charges

effective

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- Form-of-Payment: Relocators shall accept any of the following methods of payment for lawful fees and charges: a)
 - United States currency;
 - Commonly recognized travelers checks; 3)
 - Money orders;
 - Cashier's checks; 4)
- Certified checks; and
- Commonly accepted credit cards. 6)
- Storage-Charges:No storage charge shall be assessed for storage of the produced, and payment is tendered in the amount and form authorized by identification vehicle after the vehicle is claimed, proper this Section. (q
 - No storage charges shall be assessed for storage of the vehicle on Section 1710.51, days or hours, as noted on signs posted pursuant to when the relocator is closed to the public. 1
- No storage charges greater than \$200 shall be assessed for storage of the vehicle if the vehicle had been reported as stolen prior to its ģ
- assess, demand, accept, or receive any charge other than the lesser of: Amount -- of -- charges - No relocator shall ee)
- θĘ ILCS 5/18a-200(4)] (###--Rev---Stat:-19857-ch-1) The rate set by the Commission pursuant to Section 18a-200(4) 95-1/27-par--18a-200(4); or
 - The rate posted on the relocator's sign as required by Section 1710.51(b). 2)
- fd) A relocator shall not assess, demand, accept, or receive any charge unless the relocator has complied with Sections 1710.50 and 1710.51 of this Part.

effective 16200 Reg. 111. 22 AUG 3 1 1998 (Source: Amended

Section 1710.123 Hours During Which Vehicles May Be Reclaimed

Relocators shall maintain business hours permitting the public to reclaim relocated vehicles during all hours that relocation operations are conducted open to the public for reclaiming vehicles as noted on sign posted pursuant to and for 2 hours after the termination of relocation operations, and shall not impose storage charges for any days or hours during which the relocator is Section 1710.51

effective 16200= Reg. 111. (Source: Amended at AUG 3 1 1998

SUBPART M: STORAGE LOTS

Section 1710.130 Ownership and Identification of Storage Lots

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vehicles may be transported or at which vehicles may be to which stored must be: Each lot

or under written lease for the exclusive use of relocator; and a) Owned by

Identified as the property of the relocator by one or more signs meeting the specifications of Section 18a-302 of the Law [625 ILCS 5/18a-302] (FFF:--Rev:--Stat:--1985;--ch:--95-1/2;--par:-18a-382) and Section 1710.51 of this Part. Q Q

effective Reg. 16200 = 111. 22 1116 3 1 1998 (Source: Amended

Section 1710.133 Maintenance of Records at Storage Lots

maintained on the premises and made available for inspection by authorized Records of all vehicles relocated during the previous year to a lot to which vehicles may be transported or at which vehicles may be stored must be Commission investigators, police officers or auditors.

effective +1 0000 Reg. 111. 22 at 196 3 1 1998 (Source: Amended

Section 1710.134 Secondary Storage Lots

A licensed relocator may utilize secondary storage lots for the storage of unclaimed vehicles subject to the following conditions:

a) any such lot must be owned by or under written lease for the exclusive use of the relocator; and the relocator must have notified the Commission of the location of all such lots prior to the use of such lots; Q

a vehicle may not be moved to a secondary storage lot unless it has remained unclaimed for a period of ten-(- 10) days from the date of relocation to the relocator's primary storage lot; Û

upon proper reclaiming of such vehicle in accordance with Section the relocator shall be required to retrieve within the time specified in Section 1710.120(a) 24-hours any vehicle stored at a secondary lot 1710.120 of this Part; and g)

or storage the relocator may not charge a vehicle owner any transportation charge for the period of time necessary to vehicle stored at a secondary lot. (e

effective Reg. 111. 22 at (Source: Amended

SUBPART N: ENFORCEMENT

Section 1710.140 Imposition of Sanctions Revecation-of-License

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The-Commission-shall-revoke-a-license--issued--to--a--relocator--operator--or dispatcher-where-the-person-has-

Obtained-the-license-by-fraud-or-misrepresentation;-or Been--shown--to--no-longer-meet-the-requirements-of-Section-1710-22(a)

proceeding, the Commission will consider, among other factors, the severity of the offense, the probability of quilt, and possible effects of sudden civil penalties. In deciding whether to conduct an operating practices practices proceeding to impose sanctions including, but not limited to, the suspension or revocation of the respondent's license and/or the assessment of When the Commission has reason to believe that a person has committed an is a violation of the Law or this Part, it may conduct an suspension or revocation on the relocator's customers.

effective Reg. 111. 22 at (Source: Amended

Section 1710.141 Informal Settlement in Lieu of Formal Proceeding

informal staff level, any controversy regarding the respondent's alleged to the institution of formal enforcement proceedings before the Commission a respondent shall be given the opportunity to settle, illegal activity under the Law.

option. The respondent shall have 20 days from the date of service to Included will be conference if the respondent chooses to exercise the settlement setting forth the alleged violations of the Law or this Part shall be instructions to telephone or write to the specific Commission staff member assigned to the case to request and schedule a settlement The Notice of Alleged Violation and Opportunity to Settle (NAVOS) served on the respondent and shall specify the procedure for respondent to exercise his option to settle. exercise his option to settle.

minimum and maximum amounts as set forth in Section 18c-1704(2) of the Monetary settlements specified in the NAVOS shall be based upon the [625 (ICTL) Law Illinois Commercial Transportation 5/18c-1704(2)]. a

An amount less than the minimum established in the NAVOS may be agreed incorporated in a stipulated settlement agreement which shall be presented to the Commission for approval or rejection pursuant to the upon between the staff of the Commission and the respondent during presented to the Commission for approval or rejection pursuant to informal settlement discussions. This lesser amount shall provisions of Section 18c-705 of the ICTL. ં

respondent's past compliance history, his cooperation with authorities in the resolution of the dispute, his willingness to comply with the Settlement amounts shall be determined upon consideration of the violation, the amount of revenue realized from the unlawful activities, and the number of violations. this Part, the type ģ

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- e) If a settlement agreement is not reached, the matter will be set for hearing before a Commission Hearing Examiner (see 83 Ill. Adm. Code 200).
 - f) The respondent's right to a hearing and his position at hearing will not be prejudiced in any way if settlement is not reached.

(Source: Added at 22 Ill. Reg. 16200 =, effective

Section 1710.142 Initiation of Operating Practices Proceeding

- a) An enforcement proceeding shall be initiated by the issuance of a Complaint which shall set forth the alleged violations of the Law. The Complaint shall be served on the respondent by certified mail. return receipt requested, at the last address known to the Commission, or by personal service if the respondent is not licensed by the Commission and service by mail cannot be accomplished.
- D) The respondent shall have 20 days from the date of service of the Complaint to file a responsive pleading with the Commission. Failure to respond within the specified time shall result in the matter being set for hearing. Notice of the time, date and place for the hearing shall be mailed to the respondent.
- c) All matters set for hearing as a result of this Section shall be conducted in accordance with 83 Ill. Adm. Code 200 (Rules of Practice) and with the provisions of Section 18c-1704 of the ICTL.
- d) Respondent's failure to appear at a hearing or otherwise respond to a complaint shall constitute a waiver of the respondent's right to contest the alleged violation(s). Commission staff shall present evidence in support of its allegations and the Commission is authorized, without further notice or hearing, to make findings and may forthwith order the imposition of any applicable sanction.

(Source: Added at 22 Ill. Reg. 16200 ; effective AUG 31998)

Section 1710.143 Failure to Appear at Hearing

Respondent's failure to appear at the hearing set for the violation(s) in issue may constitute a waiver of respondent's right to appear to contest the alleged violation(s). Commission staff shall testify in support of its allegations and the Commission is authorized without further notice to find the facts to be as alleged in the order and may forthwith order the imposition of any applicable sanction.

(Source: Added at 22 Ill. Reg. 16200

Section 1710.144 Service of Order

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Service of orders shall be made by certified mail, return receipt requested.

(Source: Aug 3 1998 22, 111. Reg. 1620, effective

Section 1710.145 Standards for the Assessment of Civil Penalties

- a) In determining whether to assess civil penalties the Commission shall consider the following factors:
- the lack of mitigating circumstances including:
- .) whether the violation's occurrence was attributable to causes beyond the respondent's control rather than to respondent's fault or intent; and
- B) whether the violation's occurrence was attributable to action by the Commission which precluded compliance;
 - 2) the lack of good faith or intent including:
- A) the past compliance history of the respondent; and B) whether a violation is the result of willful conduct
- comes about through mistake, inadvertence, or negligence;
 3) the financial ability of the respondent to pay the penalties
- 4) the degree to which the violative conduct was harmful to the
- public; and
 5) the financial benefit accruing to the respondent as a result of
- its illegal activities.

 b) If it is determined that a civil penalty shall be assessed, the amount of the civil penalty shall be determined in accordance with the
 - of the civil penalty shall be determined in accordance with the following procedure:

 1) A numerical value of from 0 to 5 shall be assigned to each of the factors specified in subsections (a)(1), (2), (3), (4), and (5)
- 2) The values assigned will be summed. The sum will be divided by the maximum possible weighted value per violation (25) and then multiplied by the maximum possible penalty per violation (\$500). The result will be the civil penalty which the Commission will seek to assess against the respondent.
- c) The Commission's consideration shall be limited to only those violations for which evidence exists. It shall be the burden of the respondent to establish a compelling reason why the civil penalty should be mitigated.

(Source: Added at 22 Ill. Reg. 1600, effective

Section 1710.146 Payment of Civil Penalties

effective

[1]

Whenever the Commission assesses a civil penalty under this Part:

a) Payment of the civil penalty shall be made by certified or cashier's

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or in installments by the foregoing means after All remittances shall be made payable to the Illinois Commerce Commission and sent to Transportation Regulatory Fund, Illinois Commission, 527 East Capitol Avenue, Springfield, Illinois execution of a promissory note containing an agreement for judgment; order, Commerce q

effective 16200 Reg. 111. 22 (Source: Added 9988

SUBPART O: LEASING

Section 1710.150 Adeption-by-Reference-of Leasing Requirements

relocators, except that there shall be no fee - for - the - filing - of - relocator teases.....No--equipment--with--driver--can--be-tawfully-leased-or-utilized-by-a Phe--Commission--adopts--92--Ill--Adm--Code-1960-as-its-leasing-regulations-for relocator-except-in-accordance-with-such-regulations:

Licensed relocators may perform relocation towing with equipment they do not own only in accordance with the provisions of this Subpart.

form provided by the lease the lease must be executed on Each a)

Commission.

equipment (the lessor) and the relocator to which the equipment is leased (the lessee). The lease must be signed by each party or be between the owner of A lease subject to this Part must authorized representative. q

to which this Part applies must be filed with the Commission's The original and 2 copies of each completed (signed and dated) lease Transportation Division at the following address: 0

Illinois Commerce Commission Transportation Division Des Plaines, IL 60016

- fee as prescribed in Section 1710.160 of this Part shall be ď
- Part applies until a copy of the completed lease has been filed with No operations shall be conducted under a lease to which this Commission at the address specified above. remitted with each lease. (e
 - relocator shall give the owner of the equipment a receipt stating the When the lessee takes or relinquishes possession of the equipment date and time of day possession is transferred. Ę,
- equipment by attaching a placard with the identification of the lessee During the period of the lease, the lessee shall identify the of this Part. A copy of the approved executed lease shall be carried in each piece of equipment in compliance with Section 1710.60 covered thereby. 얾

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- A copy of the completed written lease shall be retained as part of the lessee's records. 리
 - relocator may file a notice of cancellation with the Commission at the address above. Otherwise, the lease shall remain in effect until the The term of the lease shall not exceed 3 years. In the event that a expiration date stated in the lease or at the end of 3 years, relocator wishes to cancel a lease prior to the expiration date, whichever occurs first. -
- In the event that the license held by the lessee is revoked the lease shall no longer be valid. H
- from the date of the name change unless the lessee files an In the event that the lessee undergoes a name change the lease be void from the date of the name change unless the large fi amendment to the lease showing the changes. N
- Any term of a lease which conflicts with the Illinois Commercial Transportation Law, Commission rules, or Commission orders is void. 7

effective Reg. 16200 111. 22 at (Source: Amended

Section 1710.151 Supervision and Control of Leased Equipment with Drivers

- The relocator shall be responsible and liable for all operations under the authority of its license and for supervision and control of all equipment and drivers used in such operations. a)
 - The relocator shall be responsible regardless of whether the equipment is owned or leased by the relocator. Q
- All drivers and other personnel used by a relocator must be employees of the relocator. ΰ

effective 16200 Reg. 111. 22 AUG 3 1 1998 (Source:

SUBPART Q: RECORDS OF INDIVIDUAL RELOCATION TOWS

Section 1710.170 Relocation Tow Record Form

- Relocation Tow Record Forms or Relocation Tow Record Numbers must be purchased from the Commission. a
- Tow Record Number and conforming to a Relocation Tow Record Form form consist of an original and two copies. Each form will be identified A Relocation Tow Record Form or a form identified with a Relocation purchased from the Commission must be completed at the time of relocation for each relocation a relocator performs, whether or not by a serial number, which will also be printed on the copies. the relocated vehicle is subsequently reclaimed. be)
 - Record Numbers forms will be available only at the Commission's office at 477 South River Road, Des Plaines, Illinois 60016, (847) 294-4326 188-Industrial TOW The Relocation Tow Record Forms and Relocation Cp)

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Briver-Suite-3327-Bimhurstr-Illinois-601267-(700)-530-6700. The forms and numbers may be ordered from the Commission by sending a written request specifying the number of forms or numbers desired along with payment, or may be obtained in person during normal business hours.

payment, or may be obtained in person during noise incircation the price charged for the Relocation Tow Record Forms and the Relocation Tow Record Numbers forms shall be five-deliars-(- \$5.00) per form or number.

(Source: Amended at 22 Ill. Reg. 162007, effective

SUBPART R: DISPOSITION OF UNCLAIMED VEHICLES

Section 1710.180 Disposition of Unclaimed Vehicles

Unclaimed vehicles shall be disposed of in accordance with 625 ILCS 5/4-208 and 625 ILCS 5/4-209.

(Source: Added at 22 Ill. Reg. 16200, effective

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NOTICE OF ADOPTED REPEALER

- Heading of the Part: Standards for the Assessment of Civil Penalties (General Order 4(R))
- 2) Code Citation: 92 Ill. Adm. Code 1740

3)

- Section Numbers:
 Proposed Action:

 1740.10
 Repealed

 1740.20
 Repealed

 1740.30
 Repealed

 1740.40
 Repealed

 1740.50
 Repealed

 1740.60
 Repealed
- 4) Statutory Authority: Implementing and authorized by Section 18a-200 of the Illinois Commercial Transportation Law [625 ILCS 5/18a-200]
- 5) Effective Date of Repealer: September 1, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Commission offices at 527 E. Capitol Avenue, Springfield, Illinois and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 10/24/97 21 Ill. Reg. 13986
- 10) Has JCAR issued a Statement of Objections to this Repealer? No
- Difference(s) between proposal and final version: The proposal and the final version are the same.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this repealer replace an emergency repealer currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This Part is being repealed and the subject matter is being consolidated with other rules pertaining to relocation towing at Part 1710, which amendments are adopted in this issue of the Illinois Register.
- 16) <u>Information and questions regarding this adopted Repealer shall be directed to:</u>

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NOTICE OF ADOPTED REPEALER

Illinois Commerce Commission Springfield, IL 62794-9280 527 East Capitol Avenue P.O. Box 19280 Kathy Campbell 217/785-4869

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NOTICE OF ADOPTED REPEALER

- Uniform System of Accounts for Relocators Heading of the Part: 7
- Code Citation: 92 Ill. Adm. Code 1720 5)
- Proposed Action: Repealed Section Numbers: 3)
- Statutory Authority: Implementing and authorized by Section 18a-200 of the Illinois Commercial Transportation Law [625 ILCS 5/18a-200] 4)
- September 1, 1998 Effective Date of Repealer: 2)
- Does this rulemaking contain an automatic repeal date? No 9
- S_N Does this repealer contain incorporations by reference? 7
- A copy of the adopted repealer, including any material incorporated by reference, is on file in the Commission offices at 527 E. Capitol Avenue, Springfield, Illinois and is available for public inspection. 8
- Notice of Proposal Published in Illinois Register: 10/24, 97 21 Ill. Reg. 13990 6
- Has JCAR issued a Statement of Objections to this Repealer? No 10)
- Difference(s) between proposal and final version: The proposal and the final version are the same. 11)
- as Have all the changes agreed upon by the agency and JCAR been made indicated in the agreement letter issued by JCAR? Yes 12)
- SN N Will this repealer replace an emergency repealer currently in effect? 13)
- Are there any amendments pending on this Part? 14)
- Summary and Purpose of Amendment: This Part is being repealed and the subject matter is being consolidated with other rules pertaining to relocation towing at Part 1710, which amendments are adopted in this issue of the Illinois Register. 15)
- Information and questions regarding this adopted Repealer shall Illinois Commerce Commission 527 East Capitol Avenue Kathy Campbell directed to: 16)

Springfield, IL 62794-9280

P.O. Box 19280

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ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

and numbers may be ordered from the Commission by sending a written request specifying the number of forms or numbers desired along with Drive,-Suite-232,-Elmhurst,-Iliinois-60126,-(700)-530-6700. The forms payment, or may be obtained in person during normal business hours.

The price charged for the Relocation Tow Record Forms and the Relocation Tow Record Numbers forms shall be five-deliars-(- \$5.00) per form or number. de)

effective 16200 Reg. 111. 22 at AUG 3 1 1998 (Source: Amended

SUBPART R: DISPOSITION OF UNCLAIMED VEHICLES

Section 1710.180 Disposition of Unclaimed Vehicles

Unclaimed vehicles shall be disposed of in accordance with 625 ILCS 5/4-208 and 625 ILCS 5/4-209.

effective 16200 Reg. 111. 22 at AUG 3.7 1998 (Source: Added

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NOTICE OF ADOPTED REPEALER

- Heading of the Part: Standards for the Assessment of Civil Penalties (General Order 4(R)) 7
- Code Citation: 92 Ill. Adm. Code 1740 2)

3)

- Proposed Action: Repealed Repealed Repealed Repealed Repealed Repealed Section Numbers: 1740.20 1740.50 1740.30 1740.40 1740.60 1740.10
- Statutory Authority: Implementing and authorized by Section 18a-200 of the Illinois Commercial Transportation Law [625 ILCS 5/18a-200] 4)
- September 1, 1998 Effective Date of Repealer: 5)

Does this rulemaking contain an automatic repeal date? No

(9

- § Does this repealer contain incorporations by reference? 7
- reference, is on file in the Commission offices at 527 E. Capitol Avenue, A copy of the adopted repealer, including any material incorporated by Springfield, Illinois and is available for public inspection. 8
- Notice of Proposal Published in Illinois Register: 10/24/ 97 21 Ill. Reg. 13986 6
- Has JCAR issued a Statement of Objections to this Repealer? 10)
- <u>Difference(s) between proposal and final version</u>: The proposal and the final version are the same. 11)
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? 12)
- Will this repealer replace an emergency repealer currently in effect? 13)
 - Are there any amendments pending on this Part? 14)
- subject matter is being consolidated with other rules pertaining to relocation towing at Part 1710, which amendments are adopted in this issue and Purpose of Amendment: This Part is being repealed and the of the Illinois Register. 15)
- Information and questions regarding this adopted Repealer shall be directed to: 16)

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED REPEALER

Kathy Campbell Illinois Commerce Commission 527 East Capitol Avenue P.O. Box 19280 Springfield, IL 62794-9280 217/785-4869

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NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Uniform System of Accounts for Relocators
- 2) Code Citation: 92 Ill. Adm. Code 1720
- 3) Section Numbers: Proposed Action: 1720.10 Repealed
- 1720.10

 Repealed

 Statutory Authority: Implementing and authorized by Section 18a-200 of the Illinois Commercial Transportation Law [625 ILCS 5/18a-200]
- 5) Effective Date of Repealer: September 1, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Commission offices at 527 E. Capitol Avenue, Springfield, Illinois and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 10/24, 97 21 Ill. Reg. 13990

Has JCAR issued a Statement of Objections to this Repealer?

10)

No

- 11) <u>Difference(s)</u> between proposal and final version: The proposal and the final version are the same.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this repealer replace an emergency repealer currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This Part is being repealed and the subject matter is being consolidated with other rules pertaining to relocation towing at Part 1710, which amendments are adopted in this issue of the Illinois Register.
- 16) Information and questions regarding this adopted Repealer shall be directed to:

Kathy Campbell Illinois Commerce Commission 527 East Capitol Avenue P.O. Box 19280 Springfield, IL 62794-9280

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217/785-4869

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

Heading of the Part: Food Stamps

1)

- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) Section Numbers: Adopted Action: 121.182 Amendment
- 121.182
 Amendment

 4) Statutory Authority: Implementing Sections 12-4.4 through 12-3.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].
- 5) Effective Date of Amendments: September 1, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: May 15, 1998 (22 Ill. Reg. 8258)
- 10) Has JCAR Issued a Statement of Objections to this Rule? No
- <u>Difference(s) between proposal and final version</u>: No changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace an emergency amendments currently in effect? No

14) Are there any amendments pending on this Part: Yes

Section Numbers	Proposed Action	Illinois Register Citation
121.1	Amendment	22 Ill. Reg. 13264
121.22	Amendment	22 Ill. Reg. 13264
121.57	Amendment	22 Ill. Reg. 13264
121.60	Amendment	22 Ill. Reg. 13264
121.61	Amendment	22 Ill. Reg. 13264
121.63	Amendment	22 Ill. Reg. 13264
121.64	Amendment	22 Ill. Reg. 13264
121.105	Amendment	22 Ill. Reg. 11671
121.120	Amendment	22 Ill. Reg. 13264
121.160	Amendment	22 Ill. Reg. 10660

NOTICE OF ADOPTED AMENDMENTS

| 22 Ill. Reg. 10660 |
|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Amendment | Amendment | New Section | New Section | Amendment | Amendment | Amendment | New Section | New Section |
| 121.162 | 121.164 | 121.177 | 121.179 | 121.184 | 121.188 | 121.220 | 121.225 | 121.226 |

for participation in the Earnfare Component of the TANF limitation. Since there is no reason for a person potentially eligible for TANF to opt for Earnfare instead of TANF, this rulemaking establishes that a person who is potentially eligible for TANF will not be allowed to choose Earnfare in order to delay the 60-month TANF limitation. Summary and Purpose of Rule(s): These proposed amendments add a new The current eligibility criteria for Earnfare participation was established prior to the 60-month Food Stamp Employment and Training Program. eligibility criterion 15)

Information and answers to questions regarding these adopted amendments shall be directed to: 16)

Bureau of Administrative Rules and Procedures Mrs. Susan Warrner Weir, Bureau Chief Department of Human Services 100 South Grand Avenue East 3rd Floor, Harris Bldg. Springfield, Illinois 62762 TTY: 217/557-1547 217/785-9772

The full text of Adopted Amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES SUBCHAPTER b: ASSISTANCE PROGRAMS

FOOD STAMPS PART 121

SUBPART A: APPLICATION PROCEDURES

n ı of Assistance	Ħ	.ts		
Application for Assistance Time Limitations on the Disposition of an Application Approval of an Application and Initial Authorization of Denial of an Application Client Cooperation Emergency Assistance Expedited Services Interviews	SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY Work Requirement Finding a Voluntary Ouit Discussification	Citizenship Residence Social Security Numbers Work Registration/Participation Requirements Individuals Exempt From Work Registration Requirements	Failure to Comply Period of Sanction Voluntary Job Quit Good Cause for Voluntary Job Quit Exemptions from Voluntary Quit Rule SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY	Unearned Income Exempt Unearned Income Education Benefits Unearned Income In-Kind Lump Sum Payments and Income Tax Refunds Earned Income Budgeting Earned Income Exempt Earned Income Income from Work/Study/Training Programs
Section 121.1 121.2 121.3 121.4 121.5 121.6 121.6	Section 121.18	121.20 121.21 121.22 121.23	121.25 121.26 121.27 121.28 121.29	Section 121.30 121.31 121.32 121.33 121.34 121.40 121.40 121.41

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NOTICE OF ADOPTED AMENDMENTS	Recertification of Eligibility Residents of Shelters for Battered Women and their Children Fleeing Felons and Probation/Parole Violators Incorporation By Reference Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM	,	SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM Persons Required to Participate Participation and Cooperation Requirements Orientation Assessment and Employability Plan Job Search Component Basic Education Component Job Readiness Component Grant Diversion Component Sanctions Grant Diversion Component Grant Diversion Component Sanctions Grood Cause for Failure to Cooperate Supportive Services Conciliation and Fair Hearings Types of Claims (Recodified) Establishing a Claim for Intentional Wiolation of the Program (Recodified) Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified) Collecting Claim Against Households (Recodified)	Failure to Respond to Initial Demand Letter (Recodified) Methods of Repayment of Food Stamp Claims (Recodified) Determination of Monthly Allotment Reductions (Recodified) Failure to Make Payment in Accordance with Repayment Schedule (Recodified) Suspension and Termination of Claims (Recodified) SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS
	121.120 121.130 121.131 121.135 121.136	Section 121.150 121.151 121.152 121.153 121.154	Section 121.160 121.164 121.164 121.170 121.174 121.174 121.178 121.180 121.181 121.182 121.184 121.180 121.180 121.180 121.180 121.180 121.180 121.200 121.200	121.204 121.205 121.206 121.207 121.208
NOTICE OF ADOPTED AMENDMENTS	Earned Income from Roomer and Boarder Income From Rental Property Earned Income In-Kind Sponsors of Aliens Assets Exempt Assets Asset bisregards	SUBPART D: ELIGIBILITY STANDARDS Net Monthly Income Eligibility Standards Gross Monthly Income Eligibility Standards Income Which Must Be Annualized Deductions From Monthly Income Food Stamp Benefit Amount	Composition of the Assistance Unit Living Arrangement Nonhousehold Members Ineligible Household Members Strikers Households Receiving AFDC; SSI, Interim Assistance and/or GA - Categorical Eligibility Categorical Eligibility SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS Initiation of Administrative Fraud Hearing (Repealed) Definition of Fraud (Renumbered) Notification To Applicant Households (Renumbered) Disqualification Upon Finding of Fraud (Renumbered) Monthly Reporting and Retrospective Budgeting Monthly Reporting	ú
	121.52 121.53 121.54 121.55 121.57 121.58	Section 121.60 121.61 121.62 121.63 121.63	Section 121.70 121.71 121.72 121.74 121.74 121.75 121.75 121.81 121.81 121.82 121.83	121.92 121.93 121.94 121.95 121.96 121.97 121.98

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121.220) Workfare Components
121.221	Meeting the Work Requirement with the Earnfare Com
121.222	Volunteer Community Work Component
121.223	Work Experience Component

Section

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13]

Supportive Service Payments to Meet the Work Requirement

February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at B Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg.

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peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 111. Reg. 13635, effective August 1, 1987; amended at 11 111. Reg. 14022, effective August 10, 1987; maximum of 150 days; amended at 11 111. Reg. 15480, effective September 4, 1987; amended at 11 111. Reg. 15634, effective September 11, 1987; amended at 11 111. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 111. Reg. 18374, effective October 30, 1987; amended at 12 111. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; days; amended at 11 111. Reg. 10269, effective May 22, 1987; amended at 11 111. at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment 111. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill.

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1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 17, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. effective January 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 1998; emergency amendment at 22 Ill. Reg. 10660, effective June 1, 1998, for a amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum 150 days; peremptory amendment at 17 111. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 3156, effective February 28, 1997; amended at 21 Ill. Req. 7733, effective June 4, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; emergency amendment at 22 Ill. Reg. 1954, 5502, effective March 4, 1998; amended at 22 Ill. Reg. 7969, effective May 15, October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. 1998; emergency amendment at 22 III. Reg. 12167, effective July maximum of 150 days; emergency amendment at 22 III. Reg. 16 2 3 0 ... SEP 01 1998 effective

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section 121.182 Earnfare Component

- Assignment to the Earnfare Component is limited to adults who receive food stamps and who volunteer or are court-ordered to participate. a)
 - Eligibility Criteria Q
- Eligibility for the Earnfare Component shall be limited to six months out of any 12 consecutive month period except that court-ordered participants shall participate for six months unless the court orders participation for less than six months out of any 12 consecutive month period.
 - Individuals are not entitled to be placed in an Earnfare slot. Earnfare slots shall be made available only as resources permit. 2)
- To the extent resources permit, the Earnfare program will allow to improve their individuals to work for monthly payments and

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employability in order to succeed in obtaining employment.

- benefits under Article IV of the Illinois Public Aid Code are not Individuals who are receiving or who would be eligible for eligible to participate in Earnfare. 4)
 - Administration and Contracts ç
- The Illinois Department shall administer the Earnfare program in 1)
- The Illinois Department may enter into cooperative agreements with local governmental units in selected geographic areas which want to participate in the operation of the Earnfare program policies and procedures for the program and monitor Earnfare eligible to participate in the operation of an Earnfare outside the City of Chicago. The Department shall establish the programs in local governmental units. Local governmental units program in the following priority order as resources permit: will be 2)
 - Local governmental units that receive State funds.
- nor are under a current contract with the Department will be eligible to contract with the Department to administer to participate in the program from the applications received Local governmental units that neither receive State funds Earnfare. The Department will reimburse client payments, transportation and up to 50% of allowable administrative staff costs. The Department will select non-receiving units based on, but not limited to, the unemployment rate, percentage of the population receiving food stamps, outreach and recruitment plans, linkage with employers and connection to a court of competent jurisdiction to enable operation of the Non-custodial Parent/Earnfare Initiative.
- units, and not-for-profit community based organizations to help The Illinois Department may enter into contracts with other public agencies including State agencies, local governmental develop Earnfare opportunities and otherwise administer 3
- The Illinois Department may enter into contracts with community based organizations as comprehensive providers to administer and operate Earnfare in the City of Chicago. 4
 - The Illinois Department shall provide Worker's Compensation coverage for each individual assigned to Earnfare. 2
 - Notification and Referrals q)
- Illinois Department or the local governmental unit learns that individuals are in the following categories, it shall inform them and, whenever possible, orally of the existence of In areas where an Earnfare program is operating, when the Earnfare and the method for requesting an Earnfare referral. in writing 7
 - stamps which do not have net food stamp income in excess of A) Households approved or certified for non-assistance
- All persons denied or terminated from State Transitional \$154.00 per month; B)

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Assistance because they are employable; and

- C) All Earnfare participants shall be given a written notice at the time they leave the Earnfare program specifying when they will re-qualify.
- The Illinois Department, comprehensive providers and participating downstate units shall make referrals to the Earnfare program as follows:
 - A) Any person may request a referral.

 B) Exempt and nonexempt food stamp in
- B) Exempt and nonexempt food stamp individuals and individuals not receiving food stamps who are non-custodial parents of AFDC children may be ordered by a court of competent jurisdiction to participate in the Earnfare Component.
 - C) Within 30 days after a request for an Earnfare referral:
- i) persons who do not qualify for the Earnfare program shall be given or sent a notice informing them that they do not qualify and will not receive a referral; ii) persons who request a referral and who qualify for the
- ii) persons who request a referral and who qualify for the Earnfare program shall be provided with a written document that acknowledges the request and informs the individual that he/she is qualified.
 - 3) Within 30 days after notice of eligibility, individuals shall be assessed and referred to appropriate Earnfare slots, if slots are available.
- e) For the purposes of Earnfare, a "suitable" Earnfare slot must meet the following requirements:
- there are no questions as to the individual's ability to engage in such employment for medical reasons or because the individual has no way to get to or from the particular job;
- 2) there are no questions of working conditions, such as risks to health, safety, or lack of worker's compensation protection;
 - the individual may not be required, as a condition of employment, to join, resign from, or refrain from joining any legitimate labor organization;
- 4) there is no unreasonable degree of risk to the individual's health and safety; and
- the individual is physically and mentally competent to perform the work.
- for regular, full-time or part-time employees, regardless of whether the employee is currently working, on a leave of absence, or in a position or similar position where a layoff has taken place or the employer has terminated the employment of any regular employee or otherwise reduced its work force with the effect of filling the vacancy so created with an individual subsidized under this program, or is or has been involved in a labor dispute between a labor organization and the sponsor.
- Entry into the Component

 1) Individuals shall be referred to suitable Earnfare slots with

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local governmental units, not-for-profit community based and local organizations, other public agencies, including State agencies, and with private employers.

- to suitable Earnfare activities based on an personal preferences for available Earnfare assignments and the To the extent appropriate slots are available, individuals will assessment of the individual's age, literacy, education, educational achievement, job training, work experience, and recent institutionalization, whenever these factors are known and are relevant to the individual's success in carrying out the Department or the participating local governmental unit shall Earnfare assignments, together with any restrictions and qualifications the Earnfare employers have specified for the assignments. The individual's individual's employment goals shall be ascertained and considered assigned activities and in ultimately obtaining employment. discuss with the individual available in making the Earnfare referral. referred 2)
- 3) The Department, comprehensive providers and local governmental units shall maintain up-to-date public listings by area of Earnfare employers and current information regarding openings in those projects. These listings and the information shall be available to the public, in writing or by phone, during regular business hours.

h) Payments

- l) Individuals participating in Barnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of performance in Barnfare activity, up to a maximum of \$231.00 per month. Effective October 1, 1996, the date the federal minimum wage is increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261.00 per month. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294.00 per month. An individual is considered to have participated in Earnfare in any month he or she earns a payment.
 - A) If a court of competent jurisdiction orders an individual to participate in the Earnfare program, hours engaged in employment-assigned activities multiplied by the federal minimum wage shall first be applied as a \$50.00 payment made to the custodial parent as a support obligation. If the individual receives food stamps, the individual shall engage in hours of employment-assigned activities equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional

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can earn a maximum of \$231.00 each month including the 1996, the date the federal minimum wage is increased to 1, 1997, the date the federal minimum wage is increased to be able to earn a maximum of \$294.00 per month, including be able to earn a maximum of \$261.00 each month, including \$5.15 per hour, individuals participating in Earnfare shall The individual Effective October 1, \$4.75 per hour, individuals participating in Earnfare shall the amount of the support obligation. Effective September of performance in Earnfare activity. amount of the support obligation, the amount of the support obligation.

individual living in a multi-person food stamp household shall be deemed to be receiving a per capita share of the Individuals will be assigned hours of Earnfare based upon purposes of stamp authorization amount. food stamp allotment, for calculating the Earnfare hours. their initial food household's B)

Department or the local governmental unit shall alter the Earnfare hours each time the individual's monthly food stamp benefit changes by at least \$20.00, effective the same month in the food stamp benefit, Individuals and contractors will be notified by the Department or the local governmental unit of the number of hours of work to be individual's Earnfare participation, performed by an individual in Earnfare. change During an 0

of food stamps is not an eligibility requirement of Earnfare when a court of competent jurisdiction orders an individual to Individuals remain financially eligible for Earnfare and Earnfare job search activity so long as they receive food stamps. Receipt participate who is a non-custodial parent of AFDC children. 2)

The Department may pay participants directly or may contract for Earnfare employer to pay the individual. Payments shall be made no less frequently than monthly. Individuals shall be paid for the hours they have actually worked in excess of the food stamp hours of work obligation and, if ordered by a court of competent jurisdiction, in excess of food stamp hours and the support obligation. only the 3)

Individuals shall be credited with hours of work that the Earnfare employer certifies them to have completed, according to Department, comprehensive providers or the local governmental unit staff shall attempt to resolve disputes between the Earnfare employer and the individual when there is disagreement over the number of hours worked. If the dispute cannot be resolved, the criteria set forth in the contract with the Illinois Department, The Illinois Department or the provider shall, in advance, individual may utilize the Illinois Department's appeal process. comprehensive providers or the local governmental unit. Earnfare provide individuals participating in 2 4)

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in the job search component for specific job interviews arranged Earnfare employer. Individuals obtaining unsubsidized employment while participating in Earnfare may be eligible for transportation with the cost of transportation in getting to and from the Earnfare site and to Earnfare participants who are not initial employment expenses as stated in Section 121.188.

employer contact related expenses not to exceed \$20.00 every 30 days for a maximum of two months in a 12 consecutive month Participants in the Earnfare job search activity are eligible for period. (9

The Illinois Department will provide necessary clothing to enable participants to report to their Earnfare job site. Participants will be required to submit a written request for clothing needed. 7

Individuals may volunteer to participate in Earnfare Participation Requirements 7 <u>;</u>

consecutive month period except that court-ordered participants shall participate for six months unless the court orders month period. Individuals participating in Earnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of work up to a maximum of \$231.00 per month. Sarnfare shall be able to earn a maximum of \$261.00 per month. Effective September 1, 1997, the date the federal minimum wage is participation shall be limited to only six months out of any 12 participation for less than six months out of any 12 consecutive Effective October 1, 1996, the date the federal minimum wage is Carnfare shall be able to earn a maximum of \$294.00 per month. increased to \$4.75 per hour, individuals participating increased to \$5.15 per hour, individuals participating

A) If a court of competent jurisdiction orders an individual to minimum wage shall first be applied as a \$50.00 payment made individual receives food stamps, the individual shall engage \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261.00 each month, including the amount of the support obligation. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall in hours of employment-assigned activities equal to the minimum wage up to a maximum of 26 hours and subsequently performance in Earnfare activity up to \$231.00 including the amount of the support obligation. Effective October 1, the federal the federal shall earn assistance at minimum wage for each hour of is increased participate in the Earnfare program, hours engaged to the custodial parent as a support obligation. employment-assigned activities multiplied by amount of the food stamp benefits divided by 1996, the date the federal minimum wage

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per month, including be able to earn a maximum of \$294.00 the amount of the support obligation.

- Individuals participating in Earnfare first work the number of hours equal to food stamp benefits and subsequently earn B)
- their Earnfare employer when notified of a referral. When they cannot report to their Earnfare assignment or if they will be Individuals are required to report as scheduled and on time to financial assistance benefits. 5)
 - late, they are to immediately notify their Earnfare employer. If the individual demonstrates an inability to sustain the work the Illinois has been assigned and the Earnfare assignment was Department shall re-assess the individual and, if appropriate, shall refer the person to apply for Transitional Assistance or If the person is ordered by a court of competent jurisdiction to participate in the Earnfare Component, that person shall also be referred back to the court when unable appropriate to the individual's abilities, federal SSI benefits. 3
 - to perform the work that has been assigned. An individual may be dismissed by the employer from an Barnfare comprehensive providers or local governmental unit shall return an individual dismissed by an employer to the client pool. An individual dismissed by an employer shall be treated as a new Department, dismissal from an Earnfare assignment shall not cause a food program entrant for the purpose of Earnfare assignments. The to its completion. prior stamp sanction. 4)
 - During Earnfare assignment, individuals are required to accept of suitable employment pursuant to Section bona fide offers 2)
 - During the Earnfare assignment participants are required to apply for suitable jobs for which the provider makes a referral. 121.162(c)(4). (9
- Earnfare clients may participate in a voluntary job search activity as resources permit. There are no sanctions for failure Earnfare clients may participate for two months in a to make a minimum of 20 employer contacts each month while in the Earnfare job search activity. 12 consecutive month period, either concurrently or following the six-month eligibility period for Earnfare. Clients are required to comply. 7)

16230 Reg. 111. 22 at (Source: Amended SEP 01 1998

effective

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NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Minimum Standards for Certification of Developmental Training Programs 7
- Code Citation: 59 Ill. Adm. Code 119 5)
- Adopted Action: New Section Amendment Section Numbers: 119.200 119.232 3)
- Implementing Section 15.2 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/15.2] and the Health Care Worker Background Check Act [225 ILCS 46] and authorized by Disabilities Section 15.2 of the Mental Health and Developmental Administrative Act [20 ILCS 1705/15.2] Statutory Authority: 4)
- Effective Date of Amendments: August 27, 1998 2
- Does this rulemaking contain an automatic repeal date? No (9
- Does this rule (amendment, repealer) contain incorporations by reference? 7
- A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection: 8
- 22 24, 1998, April Notice of Proposal Published in Illinois Register: Ill. Reg. 7086 6

Has JCAR Issued a Statement of Objections to this (these) Rule(s)?

10)

- Difference(s) between proposal and final version: None 11)
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes 12)
- Will this rule replace an Emergency Rule(s) currently in effect? 13)
- Are there any amendments pending on this Part? 14)
- now permits the claiming of federal financial participation (FFP) for vocational and pre-vocational training expenditures for participating individuals enrolled in federal home and community-based waivers who were treatment plan. In view of this change, the Department is proposing amendments to Part 119 to make it more flexible. The proposed amendments would lift the 50% cap on the portion of day programming time consisting not deinstitutionalized, if the training is part of an organized active Summary and Purpose of Rule(s): A recent change in federal requirements now permits the claiming of federal financial participation (FFP) for 15)

NOTICE OF ADOPTED AMENDMENTS

of work activities that has served to ensure that developmental training The proposed rulemaking also sets criteria which require that the work activities will be part of an active treatment plan and directly relates to the individual's would not be construed as vocational training. developmental goals and objectives. Information and answers to questions regarding this adopted rule shall be directed to: 16)

Bureau of Administrative Rules and Procedures Department of Human Services Ms. Susan Weir, Bureau Chief Springfield, Illinois 62762 100 South Grand Avenue East 3rd Floor, Harris Bldg. (217) 785-9772 The full text of Adopted Amendments begins on the next page:

(217) 557-1547

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

CHAPTER I: DEPARTMENT OF HUMAN SERVICES TITLE 59: MENTAL HEALTH

MINIMUM STANDARDS FOR CERTIFICATION OF DEVELOPMENTAL TRAINING PROGRAMS PART 119

SUBPART A: GENERAL PROVISIONS

Incorporation by reference Applicability Definitions Section 119.100 119.110 119.120 SUBPART B: PROGRAM REQUIREMENTS

Application for waiver of the prohibition against employment Exclusion, suspension or discharge of an individual Criteria for participation of individuals Individual rights and confidentiality Individual services plan (plan) Interdisciplinary team (team) Medications and medical care Special training procedures Administrative requirements Assessment of individuals Environmental management General requirements Work activities Program staff Accreditation Committees 119.205 119.210 Section 119.200 119.215 119.220 119.225 119.230 119.232 119.235 119.240 119.245 119.250 119,255 119.260 119.270 119.261

CERTIFICATION REQUIREMENTS SUBPART C:

Section

Issuing a certificate and period of certification Application acceptance and verification Non-transferability of a certificate Application for certification Cessation of operations Certificate denial Hearings 119.305 119.310 119.315 119.320 119.300 119.325

Disabilities Administrative Act [20 ILCS 1705/15.2] and the Health Care Worker Background Check Act [225 ILCS 46] and authorized by Section 15.2 of the Mental AUTHORITY: Implementing Section 15.2 of the Mental Health and Developmental

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Health and Developmental Disabilities Administrative Act [20 ILCS 1705/15.2].

SOURCE: Adopted at 14 Ill. Reg. 17227, effective October 9, 1990; emergency amendment at 16 Ill. Reg. 2662, effective February 1, 1992, for a maximum of 150 days; emergency expired June 30, 1992; amended at 21 Ill. Reg. 2195, effective February 1, 1997; amended at 21 Ill. Reg. 6067, effective May 5, 1997; amended at 21 Ill. Reg. 8297, effective June 25, 1997; recodified from the Department of Mental Health and Developmental Disabilities to the Department of Buman Services at 21 Ill. Reg. 931; amended at 22 Ill Reg. 7978, effective April 27, 1998; amended at 22 Ill. Reg. 7978,

SUBPART B: PROGRAM REQUIREMENTS

Section 119.200 General requirements

a) Programs shall be located to promote integration of individuals into their communities. In addition to the requirements in subsections $(\underline{e}) \not\in f$ and $(\underline{f}) \not\in g$ of this Section, examples of integration include locations near public transportation, shopping, restaurants, and

recreation.

- b) Programs shall provide a minimum of five hours of programming per day, excluding transportation time to and from the program, and excluding mealtime unless training during meals is a documented part of the plan. Individuals may attend less than 5 hours if required and documented by a physician or the interdisciplinary team.
 - c) No individual shall be transported in a one-way trip that exceeds one hour, excluding field trips.
- d) Transportation required for individuals shall be the responsibility of
- e) Work--activities--shaili--not--exceed--50--percent-of-each-individualis program-day-as-determined-over-a-three-month-period
 - ef) Programs shall not be located in buildings where individuals reside.

 [19] Programs attended by individuals residing in licensed long-term care facilities shall promote the principles of program independence and community integration by meeting two of the following three criteria:
- No more than 25 percent of the direct-care staff hours allocated
 to the program shall be provided by personnel also employed by a
 licensed long-term care facility in a residential services
 capacity;
- At least 30 percent of the individuals in the program shall not reside in the same licensed long-term care facility; or
 The location of the program shall not be within or adjacent to the boundaries of any licensed long-term care facility having
- individuals in the program,

 9]h? The Department shall grant a waiver of the requirements in subsections (£]te?(1) and (2) of this Section above for individuals of licensed long-term care facilities whose physicians have determined

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that participation in a program away from the residence will present a risk to the individual's health. Physicians shall document and annually update this medical determination in the individual's records.

(Source: Amended at 22 III. Reg. 16244, effective

Section 119.232 Work activities

When an individual participates in work activities, the individual services plan must contain assessments or documentation that:

- a) The work activities are necessary to achieve the individual's goals and objectives:
- b) The work activities are part of an organized training program to teach the individual new skills;
 - c) The individual is not able to work at a competitive wage level; for individual's other goals, objectives and needs are
- d) The individual's other goals, objectives and needs are being addressed, whether in the developmental training program, in the residential program, or in the home; and
 - e) The work activities are not directly related to the preparation of the individual for a specific paid or unpaid job.

(Source: Added at 22 III. Reg. 16244 ; effective

NOTICE OF ADOPTED REPEALER

- Heading of the Part: Minimum Standards for Licensure of Community Residential Alternatives 7
- 59 Ill. Adm. Code 113 Code Citation: 2)

Adopted Action:	Repealed	Repealed	Repealed	Repealed	Repealed
3) Section Numbers:	113.10	113.15	113.20	113.30	113.40
17					

- Repealed Repealed Repealed Repealed Repealed Repealed Repealed Repealed 113.51 113.60 113.70 113.80 113.90 113.45 113.50 113.55
- Repealed Repealed Repealed Repealed Repealed 113.130 113.100 113.110 113.120 113.140
- Statutory Authority: Implementing the Community Residential Alternatives Act [225 ILCS 46] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104], Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS Licensing Act [210 ILCS 140] and the Health Care Worker Background Check 1705/5] and Section 5 of the Community Residential Alternatives Licensing Act [210 ILCS 140/5]. 4)
- Effective Date of Rule(s) (Amendments, Repealer): August 27, 1998 2)
- Does this rulemaking contain an automatic repeal date? No (9
- A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's principal office and is available reference? Does this rule (amendment, repealer) contain incorporations by 8
- Notice of Proposal Published in Illinois Register: April 10, 1998, Ill. Reg. 6354 6

for public inspection.

Has JCAR Issued a Statement of Objections to this (these) Rule(s)? 10)

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NOTICE OF ADOPTED REPEALER

- 11) Difference(s) between proposal and final version: None
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? 12)
- Will this rule replace an Emergency Rule(s) currently in effect? 13)
- Are there any amendments pending on this Part: 14)
- Part 113 is being amended in response 90-423 which repealed the Community Residential Alternatives Licensing Act [210 ILCS 140] provides that all agencies previously regulated under 210 ILCS 140 be regulated under the Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135]. to the enactment of P.A. 90-423, approved and effective August 15, 1997. Community Residential Alternatives will now be regulated under the Department's rules at 59 Ill. Adm. Code 115. and Purpose of Rule(s): operating 15)
- Information and answers to questions regarding this adopted rule shall be directed to: 16)

Bureau of Administrative Rules and Procedures Department of Human Services Ms. Susan Weir, Bureau Chief Springfield, Illinois 62762 100 South Grand Avenue East 3rd Floor, Harris Bldg. TTY: (217) 557-1547 (217) 785-9772

NOTICE ADOPTED AMENDMENTS

- 1) Heading of the Part: Related Program Provisions
- 2) Code Citation: 89 Ill. Adm. Code 117
- 3) Section Numbers: Adopted Action:

Amendment

- 4) Statutory Authority: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV and VI, and 12-13].
- 5) Effective Date of Amendments: September 1, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference?
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: May 15, 1998 (22 Ill. Reg. 8278)
- 10) Has JCAR Issued a Statement of Objections to this Rule? No
- 11) Difference(s) between proposal and final version: The following change was made in the text of the proposed amendments:
- In Section 117.15(d), "attempts to obtain needed proof or verification" was changed to "attempting to obtain needed proof or verification".

No other changes have been made in the text of the proposed amendments.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace an emergency amendments currently in effect?
- 14) Are there any amendments pending on this Part: Yes

Section Numbers Proposed Action Illinois Register Citation 117.53 Amendment 22 Ill. Reg. 14060 Amendment 22 Ill. Reg. 10983

15) Summary and Purpose of Amendments:

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NOTICE ADOPTED AMENDMENTS

Pursuant to provisions in 305 ILCS 5/11-16, these proposed amendments revise the provisions for reinstatement upon cooperation when financial aid is reduced or terminated due to the failure of the client to cooperate with the Department. A client whose case has been canceled for failure to cooperate may be eligible to have assistance reinstated. To have assistance reinstated, The client must actually cooperate within 10 working days after the first day the financial aid would have been available. The reinstatement will be retroactive to the date the change or termination of the grant occurred, provided the client is not otherwise ineligible for financial assistance for the period in question

16) Information and answers to questions regarding these adopted amendments shall be directed to:

Mrs. Susan Warrner Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Stringfield, Illinois 62762
Telephone number: (217) 785-9772
TTY: (217) 557-1547

The full text of Adopted Amendments begins on the next page:

NOTICE ADOPTED AMENDMENTS

CHAPTER IV: DEPARTMENT OF HUMAN SERVICES SUBCHAPTER a: GENERAL PROGRAM PROVISIONS TITLE 89: SOCIAL SERVICES

RELATED PROGRAM PROVISIONS PART 117

Recovery of Interim Assistance - Aid to the Aged, Blind or Disabled Client Training for the Electronic Benefits Transfer (EBT) System Reinstatement Upon Cooperation Agreement-to-Gooperate Issuance of Cash Assistance Benefits Replacement of Missing Warrants Payee for Financial Assistance Withholding of Rent (Repealed) Replacement of the EBT Card Incorporation By Reference Claims for Reimbursement and General Assistance Funeral Home Services Funerals and Burials Payment to Vendor(s) Burial Expenses 117.10 117,13 117.11 117,12 117.15 117.20 117.30 117.40 117.53 117.54 117.51 117.52

GA Substitute Parental Care/Supplemental Child Care - AFDC, AABD and Charge for Replacement of Photo ID Cards (Repealed) Direct Deposit of Recipients' Warrants Submittal of Claims Family Cases 117.55 117.80

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV and VI, and

State Income Tax Match

68, effective August 3, 1978; amended at 3 Ill. Reg. 38, p. 258, effective September 20, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 16111, effective November 22, 1983; amended at 9 Ill. Reg. 3726, effective March 13, 1985; III. Reg. 4759, effective March 13, 1987; amended at 12 III. Reg. 2985, effective January 13, 1988; amended at 12 III. Reg. 13608, effective August 15, effective January 1, 1990; amended at 14 Ill. Reg. 9488, effective June 1, 1990; amended at 15 Ill. Reg. 13533, effective August 1, 1991; amended at 16 amended at 9 Ill. Reg. 4526, effective March 20, 1985; amended at 9 Ill. Reg. 1988; amended at 12 Ill. Reg. 14296, effective August 30, 1988; amended at 13 111. Reg. 3936, effective March 10, 1989; amended at 14 111. Reg. 780, SOURCE: Filed and effective December 30, 1977; amended at 2 Ill. Reg. 31, p. 8733, effective May 29, 1985; amended at 9 Ill. Reg. 10779, effective July 5, 1985; amended at 9 Ill. Reg. 16914, effective October 16, 1985; amended at ll

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NOTICE ADOPTED AMENDMENTS

877, effective January 1, 1996; amended at 20 Ill. Reg. 5706, effective March for a maximum of 150 days; amended at 21 Ill. Reg. 395, effective December 20, 1996; amended at 21 Ill. Reg. 7759, effective June 4, 1997; emergency amendment recodified from the Department of Public Health to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15591, effective amended at 22 Ill. Reg. 16 25 1 . effective Reg. 2368, effective February 8, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 8191, effective May 24, 1993; amended at 18 Ill. Reg. 3746, effective 28, 1994; amended at 18 Ill. Reg. 7403, effective April 29, 1994; amended at 19 Ill. Reg. 1103, effective January 26, 1995; amended at 19 Ill. Reg. 10702, effective July 7, 1995; emergency amendment at 19 Ill. Reg. 15267, 30, 1996; emergency amendment at 20 111. Reg. 10381, effective July 23, 1996, at 21 111. Reg. 8677, effective July 1, 1997, for a maximum of 150 days; amendment at 17 Ill. effective November 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. Ill. Reg. 16644, effective October 23, 1992; emergency November 96, 1998997;

Section 117.15 Reinstatement Upon Cooperation Agreement-to-Gooperate

- When financial aid is reduced or terminated due to the failure of the client to cooperate with the Department and the client, within ten working days after the first day the financial aid would have been or available, <u>cooperates</u> indicates--his-or-her-willingness-to-cooperate with the Department, the financial aid shall be reinstated in full. client is not the period in date the change the otherwise ineligible for financial assistance provided to the is, retroactive termination of the grant occurred, reinstatement
- Failure to cooperate includes but is not limited to: (q
 - failure to keep an appointment;
 - failure to attend a meeting;
- failure to produce proof or verification of eligibility or need in response to a Department request to contact it; or
- indicates--a-willingness-to-cooperate:---The-client-shall When a client whose benefits have been reduced or terminated for failure to cooperate contacts the Department about the termination or reduction within ten working days after the first day the financial aid would have been available, the Department shall inform the client be-deemed-willing-to-cooperate-with-the--Department--when--he--or--she makes--contact--with--the--Bepartment--for--the-purpose-of-speaking-to that his or her financial assistance will be reinstated if he or appropriate-staff-and-indicating-a-willingness-to-cooperatefailure to be available for a home visit. G
 - demonstrated by his or her attendance at willingness-to-attend a or verification, attempting agreeing-to-attempt to obtain needed proof or verification, asking for help in obtaining proof or verification or rescheduled appointment or meeting, producing needed Willingness---to---cooperate The client's cooperation

q)

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- after-being-reinstated-once-under-this-Sectiony-assistance-will-not-be reinstated--again-until-the-client-actually-cooperates---If-the-client expresses-a-wilingness-to-cooperate-within-ten-working-days-after-the first-day-the-financial-aid-would-have-been--available;--and--actually cooperates,--the--financial--aid--will--be--reinstated--in--full-as-in If-the-client-fails-to-cooperate-a-second-time--for--the--same--reason seeking whatever is needed to determine continued eligibility. subsection-{a}-of-this-Sectiont
- e)f The policy in this Section does not apply in the case of sanctions the child support enforcement program (see 89 III. Adm. Code 160) or in any educational, training or employment program conducted through imposed due to the failure of a client to participate, as required, in the Department.
 - revocation, reduction, termination or sanction imposed for the failure £197 The policy in this Section also does not apply to any cancellation, of any recipient to cooperate in the quarterly reporting process.

effective Reg. 16251 111. 22 (Source: SEP 01 1998

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Temporary Assistance for Needy Families 1)
- Code Citation: 89 Ill. Adm. Code 112 5)
- Adopted Action: Amendment Section Numbers: 3
- Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13]. Statutory Authority: Implementing 4)
- Effective Date of Rulemaking: September 1, 1998 2
- Does this rulemaking contain an automatic repeal date? No 9
- Does this rulemaking contain incorporations by reference? No 7
- A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection. 8
- Notice of Proposal Published in Illinois Register: May 29, 1998 (22 Ill. Reg. 9102) 6
- Has JCAR issued a Statement of Objections to these rules? 10)
- Difference(s) between proposal and final version: The following change was made in the text of the proposed amendments: 11)
- In Section 112.305(c), "on strike" was inserted after "caretaker relative" and deleted after "parent".
- No other changes have been made in the text of the proposed amendments.
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? 12)
- Will this rulemaking replace an emergency rule currently in effect? No 13)
- 14) Are there any amendments pending on this Part? Yes

Illinois Register Citation	22 Ill. Reg. 13286	22 Ill. Reg. 13286	22 Ill. Reg. 11290	22 Ill. Reg. 13286			
Adopted Action	Amendment						
Section Numbers	112.1	112.9	112.52		112.72	112.74	112.78

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

22 Ill. Reg. 13286 22 Ill. Reg. 10987 22 Ill. Reg. 11683 New Section Amendment Amendment 112.110 112.310

Summary and Purpose of Rulemaking: 15)

for a person not directly involved in a strike and the exemption related to work requirements because these exemptions do not relate to the working population at large. This rulemaking also establishes that a family with These proposed amendments make changes in the provisions regarding exemption a parent on strike, or a caretaker relative on strike who is not a parent, a child on strike will be ineligible unless the family was receiving TANF or was eligible to receive TANF on the day before the strike began. strikers. This rulemaking clarifies provisions by deleting the

Information and questions regarding this adopted amendment shall directed to: 16)

Bureau of Administrative Rules and Procedures Name: Mrs. Susan Warrner Wier, Bureau Chief Address:

Department of Human Services 100 South Grand Avenue East

3rd Floor, Harris Bldg.

Telephone: (217) 785-9772

(217) 557-1547

The full text of the Adopted Amendments begins on the next page:

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

DEPARTMENT OF HUMAN SERVICES SUBCHAPTER a: GENERAL PROGRAM PROVISIONS TITLE 89: SOCIAL SERVICES CHAPTER IV:

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PART 112

SUBPART A: GENERAL PROVISIONS

Description of the Assistance Program Incorporation by Reference Section 112.1 SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Restriction in Payment to Households Headed by a Minor Parent Felons and Violators of Parole or Probation Continued Absence of a Parent (Repealed) Unemployment of the Parent (Repealed) Alcohol and Substance Abuse Treatment Assignment of Medical Support Rights Incapacity of a Parent (Repealed) Responsibility and Services Plan School Attendance Initiative Death of a Parent (Repealed) Social Security Numbers Basis of Eligibility Caretaker Relative Client Cooperation Living Arrangement Relationship Citizenship Residence Section 112.10 112.30 112.52 112.61 112.68 112.20 112.50 112.54 112.60 112.63 112.64 112.65 112.66 112.69 112.62 112.8 112.9 112.67

SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section

Work Activity and Teen Parent Personal Responsibility Plan (Repealed) Employment Employment and Work Activity Requirements Participation/Cooperation Requirements Adolescent Parent Program (Repealed) TANF Responsibility and Services Plan Reconciliation and Fair Hearings from Exempt TANF Orientation Requirements Individuals 112.71 112,73 112.75 112,70 112,72 112,74

Responsibility of Sponsors of Non-Citizens Entering the Country on or

112.308

Earned Income Tax Credit

112.131

16260

NOTICE OF ADOPTED AMENDMENTS

	After 8/22/96
112.309	Institutional Status
112.315	Young Parent Program (Renumbered)
112.320	Redetermination of Eligibility
112.330	Extension of Medical Assistance Due to Increased Income from
	Employment
112.331	Four Month Extension of Medical Assistance Due to Child Support
	Collections
112.332	Extension of Medical Assistance Due to Loss of Earned Income
	Disregard (Repealed)
112.340	New Start Payments to Individuals Released from Department of
	Corrections Facilities (Repealed)

SUBPART J: CHILD CARE

Arr	Care	Qualified Provider (Repealed) Notification of Available Services (Repealed) Participant Rights and Responsibilities (Repealed) Additional Service to Secure or Maintain Child Care Arra (Repealed) Rates of Payment for Child Care (Repealed) Method of Providing Child Care (Repealed) Non-JOBS Education and Training Proogram (Repealed)
110	כמוע	(Repealed)
3	3	Participant Rights and Responsibilities (Repealed)
		Notification of Available Services (Repealed)
		Qualified Provider (Repealed)
		Child Care Eligibility (Repealed)
		Child Care (Repealed)

angements

SUBPART K: TRANSITIONAL CHILD CARE

of the AUTHORITY: Implementing Article IV and authorized by Section 12-13 Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13]. SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p.

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1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory July 1, 1982; amended at 6 III. Reg. 8159, effective July 1, 1982; amended at 6 III. Reg. 10970, effective August 26, 1982; amended at 6 III. Reg. 11921, 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 1983; amended (by adding Sections being codified with no substantive change) at 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 111. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 111. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 III. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October III. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at

NOTICE OF ADOPTED AMENDMENTS

emergency amendment at 11 111. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 111. Reg. 20114, effective December 4, 1987; Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; 13625, effective August 1, 1987; amended at 11 III. Reg. 14755, effective August 26, 1987; amended at 11 III. Reg. 18679, effective November 1, 1987; 15690, effective November 9, 1983; amended (by adding Sections being codified amended at 8 III. Reg. 5207, effective April 9, 1984; amended at 8 III. Reg. 7226, effective May 16, 1984; amended at 8 III. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 III. Reg. 21621, effective October 23, 1984; amended at 8 III. Reg. 25023, effective December 19, 1984; amended at 9 III. Reg. 282, effective January 1, 1985; amended at 9 III. Reg. 4062, effective March 15, 1985; amended at 9 III. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 III. Reg. 16277, effective October 11, 1985; amended at 9 III. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. through 112.86 and 112.88 recodified to 89 III. Adm. Code 160 at 10 Ill. Reg. amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 111. Reg. 2280, effective January 16, 1987; amended at 11 111. Reg. 3140, effective January 30, 1987; amended at 11 111. Reg. 4682, effective March 6, 1987; amended at 11 111. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, amended at 7 111. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August

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1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 1447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November Reg. 20610; amended at 11 III1. Reg. 20889, effective December 14, 1987; amended 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 III. Reg. 7336, effective May 1, 1988; amended at 12 III. Reg. 7673, effective April 20, 1988; amended at 12 III. Reg. 9032, effective May 20, 1988; amended at 12 111. Reg. 10481, effective June 13, 1988; amended at 12 111. Reg. 14172, 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 111. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 111. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 SUBPARTS G, H and I at 12 111. Reg. 2136; amended at 12 111. Reg. 3487, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 111. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill.

SUBPART I: OTHER PROVISIONS

Section 112.305 Strikers

- a) Definition
- 1) A striker is anyone directly involved in:
- A) a strike;
 B) a work stoppage planned by employees, including a work stoppage because a contract expired;
 - C) a slowdown planned by employees;
- D) other interruption of operations planned by employees.
- 2) A person who is a sympathy striker is considered to be a striker. 32) An individual who has been or is on strike at any time during a fiscal month is considered a striker for the fiscal month.
 - b) A--person-not-directly-involved-in-a-strike-who-cannot-work-due-to-the

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strike-or-who-is-afraid-to-cross-the-picket-line-because-of-threats-of-injury-or-vandalism-is-not-a-striker--(for--exampley--a-member--of--a-non-striking--union--or--a-non-union--nember--who-cannot-work-due-to-a-strike-is-not-a-striker-is-not-a-striker-is-not-a-striker-

- bc) An employee affected by a lockout is not a striker.
 d) A-family-with-a-parent-on-strikey-a-caretaker-relative-on-strikey-or-a child-on-strike-or-shall-be--ineligible--except--for--the---following situations:
- chiid On Strike Shair De Inerigioie except For the - Foriowing situations; the Striking Derson Was exempt Erom Work requirements On the day before the strike began (see Gection 112.7) to determine - if - the
- person-was-exempt);-or

 2) if-the-striking-person-was-not-exempt-from-work-requirements;-the
 family-must--have--been--either-receiving--FANF--or-eitgible-to
 receive-FANF-on-the-day-before-the-strike-began-
- c) A family with a parent on strike, or a caretaker relative on strike who is not a parent, or a child on strike shall be ineligible unless the family was receiving TANF or was eligible to receive TANF on the
- day before the strike began.
 dlet strike began.
 determined using the family's income and assets as they were on the day before the strike began. If eligible on the day before the strike, eligibility and level of benefits are determined by using the greater of the striker's pre-strike income or current income plus the non-striking household member's current income.

(Source: Amended at 22 III. Reg. 16256, effective SEP 01 1998)

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BOARD OF TRUSTEES OF ILLINOIS PUBLIC UNIVERSITIES

NOTICE OF ADOPTED REPEALER

- Heading of the Part: Joint Rules of the Board of Regents, the Board of Governors of State Colleges and Universities, the Board of Trustees of the University of Illinois, and the Board of Trustees of Southern Illinois University: Procurement and Bidding
- Code Citation: 44 Ill. Adm. Code 530

2)

- 3) Section Numbers: Adopted Action:
 None Repeal of Part
- 4) Statutory Authority: [30 ILCS 505]
- Effective Date of Adopted Repealers: August 26, 1998

2)

- 6) Do these Adopted Repealers Contain an Automatic Repeal Date? No
- 7) Do these Adopted Repealers Contain Incorporations by Reference? No
- 8) A copy of this repealer including any material incorporated by reference is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposed Repealer Published in Illinois Register:

September 5, 1997, 21 Ill Reg 12113

- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version:
- #1 Add "and" for clarity
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this Repealer replace an Emergency Repealer currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Repealer:

Public Act 89-4 changed the configuration and nomenclature associated with Illinois public universities governing boards, so these procurement rules are obsolete. Joint Procurement Rules encompassing the Boards of Trustees of Illinois Public Universities are located at 44 Ill. Adm. Code 525.

16) Information and questions regarding this adopted repealer should be forwarded to:

BOARD OF TRUSTEES OF ILLINOIS PUBLIC UNIVERSITIES

NOTICE OF ADOPTED REPEALER

Robert C. Baker

Director of IPHEC Purchasing University of Illinois at Urbana-Champaign Purchasing Division 506 S. Wright St., Rm. 207

Urbana, IL 61801 PH: 217-333-3582

FAX: 217-244-7879 E-MAIL: rbaker@uiuc.edu

BOARD OF TRUSTEES OF ILLINOIS PUBLIC UNIVERSITIES

NOTICE OF ADOPTED REPEALER

1) Heading of the Part: Joint Rules of the Board of Regents, the Board of Governors of State Colleges and Universities, the Board of Trustees of the University of Illinois, and the Board of Trustees of Southern Illinois University: Procurement and Bidding

Code Citation: 44 Ill. Adm. Code 535

2)

3) Section Numbers:

Adopted Action: Repeal of Part

4) Statutory Authority: [30 ILCS 505]

5) Effective Date of Adopted Repealers: August 26, 1998

6) Do these Adopted Repealers Contain an Automatic Repeal Date? No

7) Do these Adopted Repealers Contain Incorporations by Reference? No

8) A copy of this repealer, including any material incorporated by reference is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposed Repealer Published in Illinois Register:

September 5, 1997, 21 Ill Reg 12116

10) Has JCAR issued a Statement of Objections to these Amendments? No

11) Differences between proposal and final version:

#1 - Add "and" for clarity

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this Repealer replace an Emergency Repealer currently in effect?

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer:

Public Act 89-4 changed the configuration and nomenclature associated with Illinois public universities governing boards, so these procurement rules are obsolete. Joint Procurement Rules encompassing the Boards of Trustees of Illinois Public Universities are located at 44 Ill. Adm. Code 525.

16) Information and questions regarding this adopted repealer should be

ILLINOIS REGISTER

BOARD OF TRUSTEES OF ILLINOIS PUBLIC UNIVERSITIES

NOTICE OF ADOPTED REPEALER

forwarded to:

Robert C. Baker
Director of IPHEC Purchasing
University of Illinois at Urbana-Champaign
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506 S. Wright St., Rm. 207
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BOARD OF TRUSTEES OF ILLINOIS PUBLIC UNIVERSITIES

NOTICE OF ADOPTED REPEALER

- University of Illinois, and the Board of Trustees of Southern Illinois Governors of State Colleges and Universities, the Board of Trustees of the Heading of the Part: Joint Rules of the Board of Regents, the Board of University: Procurement and Bidding 7
- Code Citation: 44 Ill. Adm. Code 540

2) 3)

- Adopted Action: Section Numbers:
 - Repeal of Part

[30 ILCS 505]

Statutory Authority:

4)

(9

- Effective Date of Adopted Repealers: August 26, 1998 2)
- Do these Adopted Repealers Contain an Automatic Repeal Date?
- is on file in the agency's principal office and is available for public A copy of this repealer, including any material incorporated by reference, Do these Adopted Repealers Contain Incorporations by Reference? 8
- Notice of Proposed Repealer Published in Illinois Register: September 5, 1997, 21 Ill Reg 12110 6

inspection.

- 8 Has JCAR issued a Statement of Objections to these Amendments? 10)
- Differences between proposal and final version: None 11)
- Have all the changes agreed upon by the agency and JCAR been made indicated in the agreement letter issued by JCAR? 12)
- Will this Repealer replace an Emergency Repealer currently in effect? 13)
- Are there any amendments pending on this Part? No 14)
- of Repealer: Public Act 89-4 changed the nomenclature associated with Illinois public Joint Procurement Rules encompassing the Boards of Trustees of Illinois universities governing boards, so these procurement rules are obsolete. Public Universities are located at 44 Ill. Adm. Code 525. Purpose configuration and and 15)
- Information and questions regarding this adopted repealer should forwarded to: 16)

Director of IPHEC Purchasing Robert C. Baker

University of Illinois at Urbana-Champaign

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BOARD OF TRUSTEES OF ILLINOIS PUBLIC UNIVERSITIES

NOTICE OF ADOPTED REPEALER

506 S. Wright St., Rm. 207 Purchasing Division PH: 217-333-3582 FAX: 217-244-7879 Urbana, IL 61801

E-MAIL: rbaker@uiuc.edu

NOTICE OF ADOPTED AMENDMENTS

- Hospital Services Heading of the Part:
- Code Citation: 89 Ill. Adm. Code 148
- 2)
- Adopted Action: Amendment Section Numbers: 3)
- Section 12-13 of the Illinois Public Aid Code [305 Statutory Authority: ILCS 5/12-13] 4)
- Effective Date of Amendments: August 28, 1998 5)
- SN N Does this rulemaking contain an automatic repeal date? (9
- Do these Amendments contain incorporations by reference? 7)
- A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection. (8
- (22 Ill. May 15, 1998 Notice of Proposal Published in Illinois Register: Reg. 8356) 6
- Has JCAR issued a Statement of Objections to these Adopted Amendments? No 10)
- Differences between proposal and final version: The following changes have been made in the text of the proposed rulemaking during the public comment period. 11)
- In subsections (c)(1)(D), (c)(4) and (e)(4), the subsection cross references in the new language have been corrected by the addition of (c)(1)(D), (c)(4) double parentheses.
- No other changes have been made in the text of the proposed amendments.
- Have all the changes agreed upon by the agency and JCAR been made indicated in the agreement letter issued by JCAR? Yes 12)
- Will these Amendments replace Emergency Amendments currently in effect? 13)
- 14) Are there any amendments pending on this Part? Yes

Citation	Ill. Reg. 12471)	Ill. Reg. 12471)	August 14, 1998 (22 Ill. Reg. 14613)	Ill. Reg. 12471)
Illinois Register	July 17, 1998 (22	July 17, 1998 (22	August 14, 1998 (2	July 17, 1998 (22
Proposed Action	Amendment	Amendment	Amendment	Amendment
Section Numbers	148.120	148.140	148.270	148.295

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_	()	()
1247]	12471)	1247]
Reg.	Reg.	Reg.
111.	111.	111.
(22	(22	(22
1998	1998	1998
17,	July 17,	17,
uly	uly	uly
J	כי	ט
	Amendment J	_

- Summary and Purpose of Amendments: These amendments add clarifications to the Department's policies concerning organ transplant services. changes: 15)
- required by the Department in the certification and recertification of the number of transplant procedures and the survival rates transplant programs; specify
- required to submit data for certification and recertification of programs; programs;
- two affiliated hospitals to submit a joint application combining the statistical data of the adult and pediatric programs when the programs share the same address internal audit findings by revisions allowing
- eliminate the time-frame limitation, concerning medically necessary work-ups, of three days prior to the transplantation procedure;
- add requirements that a hospital must provide written documentation of the transplant bank interdisciplinary body and commitment to support blood resources, pathology hospital's
- address auditors' concerns regarding discharge summaries, by requiring such summaries prior to the approval of reimbursement;
- a recognized national donor procurement program for organs or bone marrow provided clarify that transplant centers must participate in by unrelated donors;
- reimbursement mobilization, for stem cell acquisition including the provide clarifications concerning the Department's chemotherapy, cytokines and apheresis processes; and policy
- 0 for transplant centers to submit annual and eliminate redundant language in subsections (h)(l)(A) statistical summaries and outcome summaries. need the concerning

These changes were approved by the State Medical Advisory Committee members during the meeting of February 14, 1998. Since the amendments ρλ covered provide clarifications regarding services already Department, no budgetary impact is anticipated.

NOTICE OF ADOPTED AMENDMENTS

and questions regarding these Adopted Amendments shall be Information directed to: 16)

201 South Grand Avenue East, Third Floor Illinois Department of Public Aid Bureau of Rules and Regulations Springfield, Illinois 62763 (217) 524-0081 Joanne Jones

The full text of the Adopted Amendments begins on the next page:

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

CHAPTER I: DEPARTMENT OF PUBLIC AID SUBCHAPTER d: MEDICAL PROGRAMS TITLE 89: SOCIAL SERVICES

HOSPITAL SERVICES PART 148

Payment Methodology for County-Owned Hospitals in an Illinois County Supplemental Disproportionate Share Payment Methodology for Hospitals Payment for Pre-operative Days, Patient Specific Orders, and Services Utilization Review and Furnishing of Inpatient Hospital Services Methodology for Hospitals Organized Under the University of Determination of Alternate Payment Rates to Certain Exempt Hospitals Organ Transplants Services Covered Under Medicaid (Repealed) Calculation and Definitions of Inpatient Per Diem Rates Outlier Adjustments for Exceptionally Costly Stays Admissions Occurring on or after September 1, 1991 Disproportionate Share Hospital (DSH) Adjustments Which Can Be Performed in an Outpatient Setting Services Not Covered as Hospital Services Hospital Outpatient and Clinic Services with a Population of Over Three Million Organized Under the Town Hospital Act Bone Marrow Transplants (Repealed) Pre September 1, 1991 Admissions Limitation On Hospital Services Alternate Reimbursement Systems Directly or Under Arrangements Public Law 103-66 Requirements Definitions and Applicability Liver Transplants (Repealed) Heart Transplants (Repealed) Covered Hospital Services Organ Transplant Services Illinois Hospital Act General Requirements Special Requirements Filing Cost Reports Hospital Services Participation Copayments Payment 148.120 Section 148.100 148.110 148.130 148.140 148.150 148.160 148.170 148.175 148.180 148.190 148.200 148.210 148.220 148.230 148.240 148.250 148.260 148.30 148.60 148.80 148.40 148.50 148.10 148.20 148.25 148.70 148.90

Payment Rates for Certain Exempt Hospital Units; and Payment Rates

Reimbursement Methodologies for Children's Hospitals and Hospitals

Excellence in Academic Medicine Payments

Reimbursed Under Special Arrangements

for Certain Other Hospitals

148.270

148.280 148.285

Determination of Alternate Cost Per Diem Rates for All Hospitals;

NOTICE OF ADOPTED AMENDMENTS

	Special Hospital Reporting Requirements	148.400
	Hearings	148,390
	Services	
Treat	Rate Appeals for Subacute Alcoholism and Substance Abuse Treat	148.380
	Services	
Treat	Payment for Subacute Alcoholism and Substance Abuse	148.370
	Volume Adjustment (Repealed)	148.368
Servic	Types of Subacute Alcoholism and Substance Abuse Treatment Servic	148.360
	Definitions	148.350
	Subacute Alcoholism and Substance Abuse Treatment Services	148.340
	Exemptions	148,330
	Alternatives	148.320
	Review Procedure	148.310
	Payment	148.300
	Pediatric Outpatient Adjustment Payments	148.297
	Supplemental Critical Hospital Adjustment Payments (SCHAP)	148.296
	Critical Hospital Adjustment Payment (CHAP)	148.295
	Adjustments and Reductions to Total Payments	148.290

[20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [V, V, VI and 12-13].

Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a 1991; amended at 16 III. Reg. 6255, effective March 27, 1992; emergency amendment at 16 III. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of

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17648, effective November 29, 1994; amended at 19 111. Reg. 1067, effective amendment at 19 III. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 III. Reg. 13009, effective September 5, 1995; amended at 19 $\,$ maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 150 days; amended at 21 111. Reg. 16161, effective November 26, 1997; amended 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a for a maximum of 150 days; amended at 20 Ill. Reg. 15722, 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency for a maximum of 150 days; emergency amendment at 22 111. Reg. 15027, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective November 27, 1996; amended at 20 Ill. Reg. 15722, effective November III. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, 102 (3), effective AUG 8 1998 at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency at 22 Ill. Reg. 1408, effective December 29, 1997; amended at September 1, 1996,

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Ses

Section 148.82 Organ Transplant Services

- Introduction a)
- identified under subsection (b) below which are provided by certified organ transplant centers which meet the requirements specified The Department of Public Aid will cover organ transplants subsections (c) through (h) of this Section.
 - Covered Services Q Q
- 1) Bone marrow Marrow, heart, heart/lung, lung (single or double), liver, pancreas or kidney/pancreas transplantation.
- Other types of transplant procedures may be covered when a hospital has been certified by the Department as a transplant complete the certification process established in subsection (c) below and provide the necessary documentation of the number transplant procedures performed and the survival rates. center eligible to perform such transplants.
 - Medically necessary work-up and-evaluation-up-to-three-(3)-days prior-to-transplantation. 3)

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- Certification Process 0
- In order to be certified to receive reimbursement for transplants performed on Medicaid patients, the hospital must:
 - Comprehensive A) Request an application from the Bureau of Health Hospital Services;
- to the Department for the seeking type of transplant for which the center Submit a completed application certification; B)
- application by the State Medical Advisory Committee (SMAC); Meet certification criteria established in subsection (d) review and recommendation of below, based upon Ω
- time frames required for the type of transplant indicated in Submit a detailed status report on each patient for the type of transplant for which the hospital is seeking hospitalization, charges, survival rates, patient-specific transplant outcome, and complications (including cause of subsection (d)(1)(C), (D), (E), (F), (G), or (H) of this for--the--two--years--preceding--the--date--of--the application. To protect the privacy of patients included in certification. Such reports must include the patient's this report, names of Medicaid-and non-Medicaid patients are the length death, if applicable) for all transplants performed transplant, of date of transplant not required. diagnosis, a
 - hospital as a transplant center for Medicaid eligible Department shall notify the hospital of approval or denial of patients. The 2)
- to provide a covered service set forth in the recipient's health, the Department shall review a request for prior approval of the service from a non-certified facility, and subsection (b) above within the time frame necessary to preserve if the facility satisfies the criteria for certification, approve In the event that no hospital formally certified the request on an individual case basis. Department is able 3)
- (L), (M), (N), (O), and (P), subsections (d)(2), (3) and (4), and subsection (e) of this Section for certification and A joint application combining the statistical data for the adult and pediatric programs from two affiliated hospitals that share Medical Advisory Committee. The hospitals must meet the criteria the same surgeons may be submitted for review by the State under subsections (d)(1)(A), (B), (C), (D), (H), (I), (J), (K), 4
- Certification Criteria (p
- Hospitals seeking certification as a transplant center shall submit documentation to verify that:
 - necessary medical A) The hospital is capable of providing all care required by the transplant patient;

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- liver transplants in operation for at least three years with The hospital has had the transplant program for heart and 12 transplant procedures per year for the past two years and 12 cases in the three year period preceding the most current two year period before--that for adult heart and liver The hospital is affiliated with an academic health center; G 3
- The hospital has had the transplant program for heart/lung with ten transplant procedures per year for the past two and lung transplants in operation for at least three years years and ten cases in the three year period preceding the two year period before--that for adult heart/lung and lung transplants; current <u>0</u>
- per year for the past two years, and six transplants has had a program in operation for at least three years and has performed a minimum of six transplant in the three year period preceding the most A hospital specializing in pediatric heart/lung and current two year period before-that; procedures procedures (E)
- pediatric bone marrow transplants in operation for at least two years with 12 transplant procedures per year for the The hospital has had the transplant program for adult and past two years; (H
- transplants, or both, has had a program in operation for at least three years and has performed a minimum of six specializing in pediatric heart or liver six procedures in the three year period preceding the most transplant procedures per year for the past two years, current two year period before-that; A hospital 9
- past transplants has had the transplant program in operation for at least three years with 25 kidney transplant A The hospital specializing in kidney/pancreas and/or the three year period preceding the most current two year period before-that-for-kidney-transplants, and five pancreas transplant procedures per year for the past two years and year period before--that--for--pancreas-transplants, or 12 two year period before--that-for-kidney/pancreas five in the three year period preceding the most current two years and 12 in the three year period preceding the kidney/pancreas transplant procedures per year for the procedures per year for the past two years and 25 pancreas H
- infectious disease, nursing, social services, organ procurement, associated surgery and internal medicine to immunology, The hospital has experts, on staff, in the fields of qualify as a transplant center for pediatric patients, the complement the transplant team. In addition, in order anesthesiology, pulmonology, cardiology, Ĥ

NOTICE OF ADOPTED AMENDMENTS

- hospital must also have experts in the field of pediatrics;

 J) The hospital has an active cardiovascular medical and surgical program as evidenced by the number of cardiac catheterizations, coronary arteriograms and open heart procedures per year for heart and heart/lung transplant candiates;
- K) The hospital has pathology resources that are available for studying and reporting the pathological responses for transplantation as supported by appropriate documentation;

 L) The hospital complies with applicable State and federal laws and regulations;

- The hospital participates in a recognized national donor procurement program for organs or bone marrow provided by unrelated donors, abides by its rules, and provides the Department with the name of the national organization of which it is a member;
- N) The hospital has an interdisciplinary body to determine the suitability of candidates for transplantation as supported by appropriate documentation;
- O) The hospital has blood bank support necessary to meet the demnds of a certified transplant center as supported by appropriate documentation; and
- P) The hospital meets the applicable transplant survival rates as supported by the Kaplan-Meier method or other method accepted by the Department:
- i) A one-year survival rate of 50 percent for bone marrow transplant patients;
 - ii) A one-year survival rate of 75 percent and a two-year survival rate of 60 percent for heart transplant patients;
- iii) A one-year survival rate of 75 percent and a two-year survival rate of 60 percent for liver transplant patients;
- iv) A one-year survival rate of 90 percent for kidney transplant and a one-year survival rate of 80 percent for pancreas transplant; or a one-year survival rate of 80 percent for kidney/pancreas transplant patients;
 - v) A one-year survival rate of 65 percent and a two-year survival rate of 65 percent and a two-year survival rate of 60 percent for heart/lung and lung (single or double) transplant patients.
- 2) The commitment of the hospital to support the transplant center must be at all levels as evidenced by such factors as financial resources, allocation of space and the support of the professional staff for the transplant program and its patients. The hospital must submit appropriate documentation to demonstrate that:
- A) Component teams are integrated into a comprehensive transplant team with clearly defined leadership and

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- responsibility;
- B) The hospital safeguards the rights and privacy of patients; C) The hospital has adequate patient management plans and protocols to meet the patient and hospital's needs.
 - 3) The hospital must identify, in writing, the director of the transplant program and the members of the team as well as their qualifications. Physician team members must be identified as board certified, in preparation for board certification, or pending board certification, and the transplant coordinator's name must be submitted.
- 4) The hospital must provide patient selection criteria including indications and contraindications for the type of transplant procedure for which the facility is seeking certification.
 - e) Recertification Process/Criteria
- 1) The Department will conduct an annual review for certification of transplant centers. A certified center must submit documentation established under subsections (c), (d), (f) and (h) of this Section for review by the Department's State Medical Advisory Committee for recertification as a transplant center.
- Survival rates of previous transplant patients must be documented prior to certification. The center must maintain patient volume in the year of certification based on previous transplant statistics.
- The Department shall notify the hospital of approval or denial of the recertification of the hospital as a transplant center.
 - 4) If the hospital has previously met the requirements for certification or recertification of its program under subsections (d)(1)(1), (J), (K), (L), (M), (M), and (O), and (d)(2), (3) and (4) of this Section and the program has experienced no changes under the above subsections, as evidenced in written documentation on the hospital's application, the hospital will not be required to resubmit the same data.
 - f) Notification of Transplant
- The hospital must notify the Department prior to performance of the transplant procedure. The notification letter must be from a physician on the transplant team.
 - 2) The notification must include the admission diagnosis and pre-transplant diagnosis.
 - The Department shall notify the hospital regarding receipt of the notification and provide the appropriate <u>outcome summary</u> "patient tracking" forms to the hospital.
 - g) Reimbursement
- 1) Hospital services rendered for transplant procedures under this Section are exempt from the provisions of Sections 148.250 through 148.330 and 89 Ill. Adm. Code 149 of the Department's administrative rules governing hospital reimbursement. Hospital reimbursement for transplants covered within this Section is an all-inclusive rate for the admission, regardless of the number of

NOTICE OF ADOPTED AMENDMENTS

days of care associated with that admission, which is limited to a maximum of 60 percent of the hospital's usual and customary the general public for the same procedure for the number of days listed below for specific types of transplants:

- maximum 30 consecutive days of post-operative inpatient care for heart, heart/lung, lung (single or double), pancreas, or A) Three-days-of-pre-operative-inpatient-work-up;-and B; A
 - 40 consecutive days of post-operative inpatient care for kidney/pancreas transplant; or liver transplant; or
- 50 consecutive days of post-operative inpatient care for bone marrow transplant; or CB)
- DE) For those transplants covered under subsection (b)(2) of the number of consecutive days of inpatient care specified within the transplant certification process. this Section,
 - Reimbursement will be approved only when the Department's letter acknowledging the notification of the transplant procedure is Reimbursement will not be made until the discharge summary has been submitted to the Department. Applicable disproportionate share payment adjustments shall be made in accordance with Section 148.120(g). Applicable outlier Applicable Medicaid High Volume adjustments shall be made in adjustments shall be made in accordance with Section 148.130. accordance with Section 148.290(d). attached to the hospital's claim. 2) 3
 - The rate will not include transportation and physician fees when reimbursed pursuant to 89 Ill. Adm. Code 140.410 through 140.414 and 140.490 through 140.492, respectively. 4)
- Hospital reimbursement for bone marrow searches is limited to 60 percent of charges up to a maximum of \$25,000. Payment for bone marrow searches will only be made to the certified center requesting reimbursement for the bone marrow transplant. 2)
- Reimbursement for stem cell acquisition charges which includes must be billed under the appropriate revenue code on the claim the mobilization, chemotherapy, cytokines and apheresis processes submitted for the transplant procedure. 9

following documentation must be submitted within the time limits

Reporting Requirements of Certified Transplant Center

forth in this subsection. Patient Tracking set

The

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transplants-at-the-transplant-center:--Patients-not--covered confidentiality-----The--summary--must--include,--but-is-not The discharge summary for each Medicaid patient must be received by the Department within 30 days of the patient's including--information--for--all--patients--having--received by--Medicaid-may-be-identified-numerically-or-by-other-means identified---by---the---hospitaly---to----protect----patient The--center--must--submit--annually--a--statistical--summary linited-to,-short-and-long-term-outcome-on-all-patients: A)

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- be-received-by-the-Bepartment-within-30-days-of--the--annual The--annual-outcome-summaries-for-each-Medicaid-patient-must patient-post-transplant-evaluationet
 - received by the Department within 30 days of the patient's BB) For those Medicaid patients who expire, a summary must death.
- The center must notify the Department within 30 days of any certification criteria, patient selection criteria, members of changes in its program, including, but not limited the transplant team and the coordinator. Notification of Changes 2)

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Long Term Care Reimbursement Changes 1)
- Code Citation: 89 Ill. Adm. Code 153 2)
- Adopted Action: Section Numbers: 3)
- Amendment
- Section 12-13 of the Illinois Public Aid Code [305 Statutory Authority: ILCS 5/12-13] 4)
- Effective Date of Amendments: August 28, 1998 2)
- Does this rulemaking contain an automatic repeal date? (9
- No Do these Amendments contain incorporations by reference? 7
- A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection. 8
- Notice of Proposal Published in Illinois Register: May 8, 1998 (22 Ill. Reg. 7888) 6
- N_o Has JCAR issued a Statement of Objections to these Adopted Amendments? 10)
- The following changes have been made in the text of the proposed amendments. Differences between proposal and final version: 11)
- 1998" 30, "June In the new text in subsection (v), both occurrences of have been changed to "September 30, 1998".
- by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? nodn agreed 12)
- Will these Amendments replace Emergency Amendments currently in effect? 13)
- Are there any amendments pending on this Part? Yes 14)

July 17, 1998 (22 Ill. Reg. 12474) Illinois Register Citation Proposed Action Sections 153.125

Summary and Purpose of Amendments: 15)

new facilities. Such facilities are assigned rates that are consistent with the medians for the geographical areas in which they are located These amendments to the Department's rate maintenance provisions for long term care facilities allow an exception concerning real estate taxes for

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Care (IOC) surveys have been completed. Rates for new However, a new facility is usually unable to report real estate taxes on the initial cost report because full tax reports are generally unavailable this, the real estate tax allowance in the facility's rate remains fixed a rate maintenance exception is being added since new facilities are assigned real estate tax Section 153.100(e). until initial cost reports have been filed with the Department and initial allowances that are not based upon facility-specific information. years. facilities can then be recalculated as allowed by until the facility has been in operation for several at the geographic median. Under these amendments, Inspection of

facilities that have never had a rate based upon actual facility-specific costs and levels of care. The addition of an exception regarding real amendments, it will be the responsibility of the facility to request the exception. The facility will be eligible for a one-time rate increase when the real estate tax rate has been set at the median level, but the estate taxes is therefore consistent with the general rate setting According to these maintenance exceptions are allowed under Section 153.100 for practices for new long term care facilities. actual taxes are greater than the median.

is expected to be \$77.67 and the annual budgetary effect is expected to be \$500,000. The annual impact on the Department of Human Services, which bears responsibility for intermediate care facilities for persons with For nursing facilities, the approximate average rate under these changes expected to be approximately developmental disabilities (ICF/MR), is \$100,000 with an average rate of \$103.50. Information and questions regarding these Adopted Amendments shall be directed to: 16)

Bureau of Rules and Regulations Joanne Jones Address: Name:

East, Third Floor Illinois Department of Public Aid 201 South Grand Avenue

Springfield, Illinois

(217) 524-0081 Telephone: The full text of the Adopted Amendments begins on the next page:

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER e: GENERAL TIME-LIMITED CHANGES

PART 153 CONG TERM CARE REIMBURSEMENT CHANGES

Section 153.100 Reimbursement for Long Term Care Services 153.125 Long Term Care Facility Rate Adjustment 153.150 Quality Assurance Review (Repealed) AUTHORITY: Implementing and authorized by Articles III, IV, V and VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and 12-13] and implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III].

SOURCE: Emergency rules adopted at 18 III. Reg. 2159, effective January 18, 1994, for maximum of 150 days; adopted at 18 III. Reg. 10154, effective June 17, 1994; emergency amendment at 18 III. Reg. 11380, effective July 1, 1994, for a maximum of 150 days; amended at 18 III. Reg. 16669, effective July 1, 1994, emergency amendment at 19 III. Reg. 10245, effective June 30, 1995, for a maximum of 150 days; amended at 19 III. Reg. 10246, effective July 1, 1996, for a maximum of 150 days; amended at 20 III. Reg. 14840, effective July 1, 1996, for a maximum of 150 days; amended at 20 III. Reg. 14840, effective October 1, 1996; emergency amendment at 21 III. Reg. 1333, effective October 1, 1997, emergency amendment at 21 III. Reg. 1333, effective October 1, 1997, emergency amendment at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 III. Reg. 13114, effective July 1, effective

Section 153.100 Reimbursement for Long Term Care Services

- a) Notwithstanding the provisions set forth in 89 Ill. Adm. Code 140, 144 and 147 for reimbursement of long term care services, effective January 18, 1994, reimbursement rates for long term care facilities (SNF/ICF and ICF/MR) and day training providers will remain at the levels in effect on January 18, 1994, except as otherwise provided in this Section.
 - b) The results of Inspection of Care (IOC) surveys for which the exit conference is completed prior to January 18, 1994, will be processed and reflected in facility rates effective with the annual nursing rate adjustment date. The reconsideration process which is provided for in 89 Ill. Adm. Code 147.100 remains in effect for these surveys and other surveys set forth in this Section.
 - c) Capital and support rates in effect on January 18, 1994, will be adjusted based on final audits of cost report data in accordance with 89 III. Adm. Code 140.582(b) and 140.590.

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Capital rates will be increased for major capital improvements in accordance with 89 Ill. Adm. Code 140.560(c) and (e).

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- e) New facilities which are assigned median rates in accordance with 89 Ill. Adm. Code 140.560(b) will have rates recalculated based upon receipt of their first cost report and first IOC survey.
- f) Rates may change based upon an interim IOC conducted at the facility's written request for any facility which changed ownership no earlier than 90 days prior to and not later than January 18, 1994. The interim IOC request must include justification and documentation which supports one of the criteria set forth in 89 Ill. Adm. Code 147.150(d).
- g) Requests for interim IOCs received through January 18, 1994, will be processed in accordance with 89 III. Adm. Code 147.150(d).
- h) Interim IOCs may be conducted, at the facility's written request, if there has been a change in the Medicaid census since the last IOC survey in accordance with 89 Ill. Adm. Code 147.150(d), except that the requirement that the request must be made within 180 days after the last IOC, need not be met. The written request must contain documentation supporting the change in Medicaid census.
 - The Department reserves the right to initiate interim IOC surveys, if necessary, based upon a significant reduction in the level of resident care or for the health and safety concerns of residents.
- Any rate adjustments that result from an interim IOC conducted under this Section will have an effective date of the first day of the month following the exit date of the interim IOC.
- k) Requests for IOCs upon which rate determinations are based upon a Medicaid resident being transferred from a State operated developmentally disabled facility to a community setting will be considered on a case-by-case basis.
- Fiscal year 1996 support rates may change based on the first cost report filed by new ownership reflecting six months or more of the new ownership's operation for any facility which changed ownership in arms-length transactions between unrelated parties will be recognized for this rate change. The new support rate for those facilities will be calculated in accordance with 89 III. Adm. Code 140.560 and 140.561. Support rates for facilities which qualify under this exception will not be decreased by the provisions in this Section. The capital rates of facilities which changed ownership between July 1, 1992, and January 18, 1994, will not be subject to changes in the capital rate based on the provisions of 89 III. Adm. Code 140.571(b)(4), but can still be affected by the provisions of subsection (d) of this Section.
- m) For those for-profit facilities whose fiscal year 1994 capital rate does not include a real estate tax component because it is based upon a non-profit facility's cost report, effective July 1, 1995, the real estate tax component will be added to the capital rate based upon the fiscal year 1994 median real estate tax rate for the geographic area

NOTICE OF ADOPTED AMENDMENTS

- and the new owner is a for-profit facility, the real estate tax component will be added to the capital rate effective with the change ownership as recognized by the Illinois Department of Public Health. The real estate tax component will be added at the geographic If a non-profit facility changes ownership on or after July 1, 1995, area HSA median tax rate in effect for the month in which HSA in which the home is located. estate tax becomes effective. n (u
- For those non-profit facilities whose fiscal year 1994 capital rate for-profit facility's cost report, effective July 1, 1995, the real estate tax component of the capital rate will be removed (unless the non-profit facility rents the home from an unrelated for-profit entity). includes a real estate tax component based upon a 0
- and the new owner is a non-profit facility, the real estate tax component will be removed from the capital rate effective with the date of change in ownership as recognized by the Illinois Department for a non-profit facility that rents the facility from an unrelated If a for-profit facility changes ownership on or after July 1, 1995, of Public Health. The real estate tax component will not be removed for-profit entity. (d
- rehabilitation services to individuals illness residing in nursing facilities. Psychiatric rehabilitation services program reimbursement will be dependent upon the facility meeting all criteria specified in 89 Ill. Adm. Code Rates may change based upon verification of the delivery or non-delivery of psychiatric 147.300 through 147.345. with mental 6
- non-emergency dental services pursuant to 89 Ill. Adm. Code 144.275 and 144.300 will The flat per diem paid to ICFs/MR to cover the cost of be increased from \$.30 to \$.40. ()
 - Day training provider rates shall be increased by three percent for services provided on or after July 1, 1996. s)
- due to unique labor force factors shall have rates recalculated based facilities which are located in an area which has changed geographic designation upon the ceilings and norms of the newly designated geographic area. Effective for services provided on or after July 1, 1996, (
 - The add-on to the final nursing rate for care planning identified in 89 Ill. Adm. Code 147.205 will be increased from \$.35 to \$.45. 'n
- the Department no later than September 30, 1998. Rates for facilities Long term care facilities that have been assigned a median tax rate on aforementioned Section and subsections. Rates revised in accordance .997, for those facilities whose first full tax bill is received by The revised rate will be the and subsections (m) and (n) of this Section shall whose first full tax bill is received after September 30, 1998, will with this subsection shall result in payments retroactive to July greater of the recalculated rate or the rate in effect from the basis of geographic area in accordance with 89 Ill. Adm. subsequently have those rates recalculated based upon the facility. that received by 140.560(b) 5

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upon the number of licensed beds available at the end of the period Adm. Code 140.570(b)(3)) from the cost report used to calculate the 140.570 through 140.574, or 93 percent of annualized bed days based covered by the tax bill. No inflation factor will be used for this effective on the date the Department receives the first full tax from the first full tax bill for the long term care property wi remainder of the capital rate in accordance with 89 Ill. Adm. tax from the first full tax bill for the long term care property be divided by the greater of the annualized capital days (see 89 In order to calculate the potential tax rate, the real calculation.

effective M. Reg. 111. 22 (Source: AUG 28 1998

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 89 Ill. Adm. Code 120
- 3) Section Numbers: Adopted Action: 120.347 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: August 28, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? N
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: May 29, 1998 (22 Ill. Reg. 9242)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version:

Section 120.10, which had been included in the proposed rulemaking, was deleted in the second notice that was submitted to the Joint Committee on Administrative Rules on July 31, 1998. This action was taken after the Department became aware of the need for more expansive changes to Section 120.10 than were provided in the proposed amendments. Because of this, additional amendments to Section 120.10, concerning asset policy for TANF MANG cases, have been proposed and were published on July 17, 1998, at 22 111. Reg.12476.

No changes have been made in the text of the proposed amendments to Section 120,347.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect?
- 14) Are there any amendments pending on this Part? Yes

Sections Proposed Action Illinois Register Citation

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AMENDMENTS
ADOPTED
QF.
NOTICE

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(22	(22	(22)	(22)	(22)	(22)	(22	(22)	(22
1998	1998	1998 (22 Ill.]	1998	1998	1998	1998	1998	1998
17,	17,	17,	17,	17,	17,	17,	17,	17,
July	July	July 17,	July	July	July	July	July	July
Amendment,	Amendment	Amendment	Amendment	Amendment	Repeal	Amendment	Amendment	Amendment
120.10	120.30	120.60	120.314	120.380	120.381	120.382	120.383	120.384

15) Summary and Purpose of Amendments:

Subsection (d)(1), which deals with non-pooled trusts established for disabled persons, requires that if a trust contains proceeds from a personal injury settlement, any Department be satisfied in order for the trust to be excluded as an Similar language is being added to subsection (d)(2) regarding irrevocable pools funds but maintains a separate account for each beneficiary. Such a trust may be created by the disabled person. The Department has initiated these changes in the wake of a recent Illinois appellate court case that concluded the Department is first entitled to payment of the lien for Section 120.347 provide clarifications on the trusts that are established and managed by a non-profit association that Medicaid reimbursements from the proceeds of a personal injury settlement, leaving any remaining proceeds available for transfer to a trust. available asset in determining eligibility for medical treatment of irrevocable trusts. amendments to charges must

These amendments are not expected to result in any budgetary changes for the Department.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones Address: Bureau of Rules and Regulations Illinois Department of Public Aid 201 South Grand Avenue East, Third Floor Springfield, Illinois 62763

Telephone: (217) 524-0081

The full text of the Adopted Amendments begins on the next page:

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DEPARTMENT OF PUBLIC AID

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89: SOCIAL SERVICES DEPARTMENT OF PUBLIC AID SUBCHAPTER b: ASSISTANCE PROGRAMS TITLE 89: CHAPTER I:

MEDICAL ASSISTANCE PROGRAMS PART 120

SUBPART A: GENERAL PROVISIONS

Incorporation By Reference Section 120.1 SUBPART B: ASSISTANCE STANDARDS

Healthy Start - Medicaid Presumptive Eligibility Program For Pregnant Eligibility For Medical Assistance MANG(P) Eliqibility Section 120.10 120.11 120.12

Exceptions To Use Of MANG Income Standard AMI Income Standard (Repealed) MANG(C) Income Standard MANG(P) Income Standard 120.20 120.40 120.31

MANG(AABD) Income Standard

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section

Facilities, DHS Approved Community Based Settings and Pregnant Women All Cases Other Than Intermediate Care, Skilled Nursing Care, DHS Mandatory Cases in Intermediate Care, Skilled Nursing Care and DMHDD As and Children Under Age 19 Who Do Not Qualify MANG(AABD) and All Other Licensed Medical Facilities Categorically Needy 120.60 120.61

of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Adm. Code 140.643 Department 120.63

Department of Mental Health and Developmental Disabilities (DMHDD) Licensed Community - Integrated Living Arrangements

MANG(P) Cases

120.64

120.62

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

Eligibility for Medicare Cost Sharing as a Qualified Medicare Supplementary Medical Insurance Benefits (SMIB) Buy-In Program Section 120.70

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for Medical Payment of Medicare Part B Premiums as Specified Low-Income Medicare Beneficiary (SLIB) Income Standards Qualified Medicare Beneficiary (QMB) Income Standard Specified Low-Income Medicare Beneficiary (SLIB) Hospital Insurance Benefits (HIB) Beneficiary (QMB) Eligibility 120.76 120.73 120.74 120.75

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Recipient Restriction Program

Section

120.80

SUBPART F: MIGRANT MEDICAL PROGRAM

Migrant Medical Program Income Standards 120.90 120.91

Section

SUBPART G: AID TO THE MEDICALLY INDIGENT

Elimination of Aid to The Medically Indigent Client Cooperation (Repealed) 120.200 120.208 Section

Citizenship (Repealed) Residence (Repealed) Age (Repealed) 120.210 120.211 120.212

Living Arrangement (Repealed) Relationship (Repealed) 120,215 120.216 120.217

Supplemental Payments (Repealed) Institutional Status (Repealed) Foster Care Program (Repealed) 120.218 120.224

Social Security Numbers (Repealed) Exempt Unearned Income (Repealed) Unearned Income (Repealed) 120.225 120.230 120.235

Unearned Income In-Kind (Repealed) Education Benefits (Repealed) Earmarked Income (Repealed) 120.236 120.240 120.245

Lump Sum Payments and Income Tax Refunds (Repealed) Protected Income (Repealed) Earned Income (Repealed) 120.250 120.255 120.260

Income From Work/Study/Training Program (Repealed) Recognized Employment Expenses (Repealed) Budgeting Earned Income (Repealed) Exempt Earned Income (Repealed) 120.270 120.261 120.262 120.271

Earned Income From Roomer and Boarder (Repealed) Earned Income From Self-Employment (Repealed) 120.272 120.273

Payments from the Illinois Department of Children and Family Services Earned Income In-Kind (Repealed)

120.276

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	ss (Repealed)	Exempt Assets (Repealed)	Asset Disregards (Repealed)	Deferral of Consideration of Assets (Repealed)	Spend-down of Assets (AMI) (Repealed)	Property Transfers (Repealed)	Persons Who May Be Included in the Assistance Unit (Repealed)	TOO OFF THE TANKE AND THE PROPERTY OF THE PROP
(TOTAL PORT OF)	Assets (Repealed)	Exempt Assets (Rep	Asset Disregards (Deferral of Consid	Spend-down of Asse	Property Transfers	Persons Who May Be	D T
	120.280	120.281	120.282	120.283	120.284	120.285	120.290	100 000

Section	
120,308	Client Cooperation
120.309	Caretaker Relative
120.310	Citizenship
120.311	Residence
120.312	Age
120.313	Blind
120,314	Disabled
120,315	Relationship
120,316	Living Arrangements
120.317	Supplemental Payments
120.318	Institutional Status
120,319	Assignment of Rights to Medical Support and Collection of Pays
120.320	Cooperation in Establishing Paternity and Obtaining Medical S
120.321	Good Cause for Failure to Cooperate in Establishing Patern
	Obtaining Medical Support
120.322	Proof of Good Cause for Failure to Cooperate in Estal
	Paternity and Obtaining Medical Support
120.323	Suspension of Paternity Establishment and Obtaining Medical
	Upon Finding Good Cause
120.324	Health Insurance Premium Payment (HIPP) Program
120.325	Health Insurance Premium Payment (HIPP) Pilot Program
120.326	Foster Care Program
120.327	Social Security Numbers
120.330	Unearned Income
120.332	Budgeting Unearned Income
120.335	Exempt Unearned Income
120.336	Education Benefits
120.338	Incentive Allowance
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120.342	Court Ordered Child Support Payments of Parent/Step-Parent
120.345	Barmarked Income
120.346	Medicaid Qualifying Trusts
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	Lump Sum Payments and Income Tax Refunds
120,355	Protected Income

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	(Repealed)	120.360	Barned Income
280	Assets (Repealed)	120,361	Budgeting Earned Income
281	Exempt Assets (Repealed)	120.362	Exempt Earned Income
282	Asset Disregards (Repealed)	120.363	Earned Income Disregard - MANG(C)
283	Deferral of Consideration of Assets (Repealed)	120.364	Earned Income Exemption
284	Spend-down of Assets (AMI) (Repealed)	120.366	Exclusion From Earned Income Exemption
285	Property Transfers (Repealed)	120.370	Recognized Employment Expenses
290	Persons Who May Be Included in the Assistance Unit (Repealed)	120.371	Income From Work/Study/Training Programs
295	Payment Levels for AMI (Repealed)	120.372	Earned Income From Self-Employment
		120.373	Earned Income From Roomer and Boarder
	SUBPART H: MEDICAL ASSISTANCE - NO GRANT	120.375	Earned Income In Kind
		120.376	Payments from the Illinois Department of Children and Family Services
ion		120.379	Provisions for the Prevention of Spousal Impoverishment
308	Client Cooperation	120.380	Assets
309	Caretaker Relative	120,381	Exempt Assets
310	Citizenship	120.382	Asset Disregard
311	Residence	120,383	Deferral of Consideration of Assets
312	Age	120.384	Spend-down of Assets (MANG)
313	Blind	120.385	Property Transfers for Applications Filed Prior to October 1, 1989
314	Disabled		(Repealed)
315	Relationship	120.386	Property Transfers Occurring On or Before August 10, 1993
316	Living Arrangements	120,387	Property Transfers Occurring On or After August 11, 1993
317	Supplemental Payments	120,390	Persons Who May Be Included In the Assistance Unit
318	Institutional Status	120,391	Individuals Under Age 18 Who Do Not Ouglify For AFDC/AFDC-MANG and
319			Children Born October 1, 1983, or Later (MANG(P) Program)
320		120.392	Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The
321	Good Cause for Failure to Cooperate in Establishing Paternity and		landa
	Obtaining Medical Support		
322	Proof of Good Cause for Failure to Cooperate in Establishing	120.393	Pregnant Women and Children Under Age Eight Years Who Do Not Qualify
	Paternity and Obtaining Medical Support		As Mandatory Categorically Needy Demonstration Project
323	Suspension of Paternity Establishment and Obtaining Medical Support	120.395	Payment Levels for MANG (Repealed)
	Upon Finding Good Cause	120.399	Redetermination of Eligibility
324	Insurance Premium Payment		
325	Health Insurance Premium Payment (HIPP) Pilot Program	TABLE A	Value of a Life Estate and Remainder Interest
326	Foster Care Program	TABLE B	Life Expectancy
327	Social Security Numbers		
330	Unearned Income	AUTHORITY:	Sec
332	Budgeting Unearned Income	12-13 of	12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and
335	Exempt Unearned Income	12-13].	
336	Education Benefits		
338	Incentive Allowance	SOURCE:	SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 111. Reg.
340	Unearned Income In-Kind	17, p.	February 1, 1978; amended at
342	Court Ordered Child Support Payments of Parent/Step-Parent	effective	effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4,
345		effective	effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2
346	Medicaid Qualifying Trusts	Ill. Reg	Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill.
347	Treatment of Trusts	Reg. 46,	November 1, 1978;
350	Lump Sum Payments and Income Tax Refunds	16, p. 4	
355	Protected Income	amendment	: at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of

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140, effective October 6, 1979; amended at 3 111. Reg. 46, p. 36, effective November 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 111. Reg. 6082; amended at 7 111. Reg. 8256, effective July 1, 1983; amended at 7 111. Reg. 8264, effective July 5, 1983; Reg. 14747; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. maximum of 150 days; amended at 4 111. Reg. 37, p. 797, effective September 2, 26, 1981; peremptory amendment at 5 111. Reg. 5722, effective June 1, 1981; at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. amended (by adding Section being codified with no substantive change) at 7 Ill. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July

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Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 8672, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; maximum of 150 days; amended at 9 111. Reg. 4515, effective March 25, 1985; amended at 9 111. Reg. 5346, effective April 11, 1985; amended at 9 111. Reg. October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July amended at 12 111. Reg. 11483, effective June 30, 1988; emergency amendment at maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; effective October 2, 1989, for a maximum of 150 days; emergency expired March emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a Reg. 13328, effective July 16, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 111. Reg. 3033, effective at 10 Ill. Reg. 4907, effective March 7, 1986; 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 111. Reg. 8735, effective April 20, 1987; emergency amendment at 11 I11. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 I11. Reg. 14034, effective August 14, 1987; amended at 11 I11. Reg. 14763, effective August 26, 1987; amended at 11 III. Reg. 20142, effective January 1, 1988; amended at 11 III. Reg. 20898, effective December 14, 1987; amended at $12\ \mathrm{III}$. Reg. 904, effective January 1, emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 January 23, 1986; amended

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Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective September 11, 1991; amended at 15 Ill. Reg. 14240, 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, effective September 23, 1991; amended at 16 Ill. Reg. 139, effective December 1994; amended at 18 Ill. Reg. 5934, effective April 1, 1994; amended at 18 Ill. Reg. 8718, effective June 1, 1994; amended at 18 Ill. Reg. 11231, effective maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 10034, effective June 15, 1992; amended at 16 Ill. Reg. 11582, effective July 15, 1992; amended at 16 Ill. Reg. 17290, effective November 3, 1992; amended at 17 Ill. Reg. 1102, effective January 15, 1993; amended at 17 Ill. Reg. 16827, effective April 21, 1993; amended at 17 Ill. Reg. 10402, effective June 28, 1993; amended at 18 Ill. Reg. 2051, effective January 21, July 1, 1994; amended at 19 Ill. Reg. 2905, effective February 27, 1995; emergency amendment at 19 Ill. Reg. 9280, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 11931, effective August 11, 1995; amended at 19 Ill. Reg. 15079, effective October 17, 1995; amended at 20 Ill. Reg. 5068, effective March 20, 1996; amended at 20 Ill. Reg. 15993, effective effective October 1, 1997; emergency amendment at 22 III. Reg. 1576, effective January 5, 1998, for a maximum of 150 days; amended at 22 III. Reg. 7003, December 9, 1996; emergency amendment at 21 Ill. Reg. 692, effective January 1, for a maximum of 150 days; amended at 21 Ill. Reg. 7423, effective May 31, 1997; amended at 21 Ill. Reg. 7748, effective June 9, 1997; amended at 21 Reg. 11555, effective August 1, 1997; amended at 21 Ill. Reg. 13638, effective April 1, 1998, amended at 22 III. Reg. 8503 AUG 2 6 1996 May amended at 22 III. Reg. 6 1996 May

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section 120.347 Treatment of Trusts

- This Section applies to trusts established on or after August 11, a)
- A trust is any arrangement in which a grantor transfers property to a trustee or trustees with the intention that it be held, managed or administered by the trustee or trustees for the benefit of the grantor A person shall be considered to have established a trust if assets of instrument or device that is similar to a trust, including an annuity. A trust also includes any or designated beneficiaries. Q) Û
 - the person were used to form all or part of the principal of the trust and the trust is established (other than by will) by any of the Following:

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- the person's spouse; or 3)
- other person, including a court or administrative body, with legal authority to act on behalf of or at the direction of the person or the person's spouse.
 - Section does not apply to the following trusts: q)
- contains proceeds from a personal injury settlement, any described in Section 120.314) under age 65 that is established by a parent, grandparent, legal guardian or court for the benefit of stipulates that any amount remaining in the trust (up to the amount expended by the Department on medical assistance) shall be paid to the Department upon the death of the person. This exclusion continues after the person reaches age 65 as long as the person continues to be disabled but any additions made by the person to the trust after age 65 will be treated as a transfer of Department charge (as described at 89 Ill. Adm. Code 102.260) must be satisfied in order for the trust to be excluded under an irrevocable trust containing assets of a disabled person (as the disabled person, if language contained in the assets under Section 09-Ill:-Adm:-Code 120.387. this subsection; or
- for the benefit of the disabled person, if language contained in described in Section 120.314) that is established and managed by separate account for each beneficiary that is established by the disabled person, a parent, grandparent, legal guardian or court the trust stipulates that any amount remaining in the trust (up to the amount expended by the Department on medical assistance) that is not retained by the trust shall be paid to the Department upon the death of the person. If the trust contains proceeds Code 102.260) must be satisfied in a non-profit association that pools funds but maintains an irrevocable trust containing assets of a disabled person Department charge from a personal injury settlement, any described at 89 Ill. Adm. 5)
 - Subsections (f) and (g) of this Section below apply to the portion order for the trust to be excluded under this subsection (d). (e
 - the trust attributable to the person and without regard to: the purpose for establishment of the trust;
- whether the trustee has or exercises any discretion under the 7)
- οĘ nse whether there are any restrictions on distributions or distributions from the trust. 3
- revocable trusts, the Department shall: For £)
- treat as income payments from the trust that are made to or for treat the principal as an available asset; 7 2)
- treat any other payments from the trust as transfers of assets by the person (subject to the provisions of Section 120.387). the benefit of the person; and
 - For irrevocable trusts, the Department shall: 9

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- treat as an available asset the amount of the trust from which payment to or for the benefit of the person could be made; 7
 - treat as income payments from the trust that are made to or for the benefit of the person; 2)
- treat any other payments from the trust as transfers of assets by the person (subject to the provisions of Section 120.387); and 3)
- treat as a transfer of assets by the person the amount of the trust from which no payment could be made to the person under any The date of the transfer is the date the trust was established or, if later, the date that payment to the person was foreclosed. The amount of the trust is determined by including any payments made from the trust after the date that payment to the person was circumstances (subject to the provisions of Section 120.387). foreclosed. 4)

effective Reg. 111. 22 AUG 2 8 1998 (Source:

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Heading of the Part: Medical Payment

7

- Code Citation: 89 Ill. Adm. Code 140 2)
- Adopted Action: New Section Section Numbers: 140.451 3
- Section 12-13 of the Illinois Public Aid Code [305 Statutory Authority: ILCS 5/12-13] 4)
- Effective Date of Amendments: August 28, 1998 2
- Does this rulemaking contain an automatic repeal date? No (9
- Do these Amendments contain incorporations by reference? 7
- reference, is on file in the agency's principal office and is available A copy of the adopted amendment, including any material incorporated by for public inspection. 8
- 111. (22 Notice of Proposal Published in Illinois Register: May 1, 1998 Reg. 7534) 6
- Has JCAR issued a Statement of Objections to these Adopted Amendments? No 10)
- Differences between proposal and final version: Several changes have been made in the text of the proposed rulemaking. 11)

In subsection (a), "or its successor" has been deleted.

In subsection (b)(2), "or which" has been changed to "or that".

In subsection (b)(3), a comma has been added after "or occurrence of".

In subsection (c), "criteria which" has been changed to "criteria that".

No other changes have been made in the text of the proposed amendments.

- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? 12)

Will these Amendments replace Emergency Amendments currently in effect?

13)

14) Are there any amendments pending on this Part? Yes

July 31, 1998 (22 Ill. Reg. 14239) Illinois Register Citation Proposed Action Section Numbers 140.40

16303

86 16304

DEPARTMENT OF PUBLIC AID

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June 26, 1998 (22 Ill. Reg. 11005) June 26, 1998 (22 Ill. Reg. 11005) Amendment Amendment 140.463 140.461

These provisions in new Section requirements specify that pharmacists must provide information to Medicaid recipients on the expected effects and potential problems associated with prescribed medications, and ensure that a prospective drug review of a concern. This drug therapy review must include screening to identify therapeutic duplication, drug-disease contraindications, adverse drug-drug 140.451 establish requirements for pharmacies regarding patient counseling recipient's drug therapy has been performed to identify possible areas of incorrect drug dosage and duration, and drug-allergy and drug review to identify potential drug therapy problems. and Purpose of Amendments: interactions, interactions. 15)

of Professional These provisions regarding patient counseling and drug review are required under federal regulations and are currently in effect in Illinois under Therefore, Section 140.451 reflects present pharmacy practices relative to Medicaid recipients. the administrative rules of the Illinois Department Regulation that pertain to pharmacists.

These new provisions will not result in any budgetary changes for the Department. Information and questions regarding these Adopted Amendments shall be directed to: 16)

201 South Grand Avenue East, Third Floor Illinois Department of Public Aid Bureau of Rules and Regulations 62763 Springfield, Illinois (217) 524-0081 Joanne Jones

The full text of the Adopted Amendments begin on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

CHAPTER I: DEPARTMENT OF PUBLIC AID SUBCHAPTER d: MEDICAL PROGRAMS TITLE 89: SOCIAL SERVICES

MEDICAL PAYMENT PART 140

SUBPART A: GENERAL PROVISIONS

Section	Incorporation By Reference
140.2	Medical Assistance Programs
140.3	Covered Services Under Medical Assistance Programs
140.4	Covered Medical Services Under AFDC-MANG for non-pregnant persons who
	are 18 years of age or older (Repealed)
140.5	Covered Medical Services Under General Assistance
140.6	Medical Services Not Covered
140.7	Medical Assistance Provided to Individuals Under the Age of Eighteen
	Who Do Not Qualify for AFDC and Children Under Age Eight
140.8	Medical Assistance For Qualified Severely Impaired Individuals
140.9	Would
	Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already
	Who Do Not
140.10	Medical Assistance Provided to Incarcerated Persons
	SUBPART B: MEDICAL PROVIDER PARTICIPATION
Section	
140.11	Enrollment Conditions for Medical Providers
140.12	Participation Requirements for Medical Providers
21.011	Definitions
7.04.	
140.14	or Application to Farticipate in the
	rogram
140.15	Money
140.16	Termination or Suspension of a Vendor's Eligibility to Participate in
140.17	Suspension of a Vendor's Eligibility to Participate in the Medical
	Abstroamen Flogram
140.18	Is Associated with Vendor
140.19	Application to Participate or for Reinstatement Subsequent to
	Termination, Suspension or Barring
140.20	Submittal of Claims
140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.22	Magnetic Tape Billings
140.23	Payment of Claims
140.24	Payment Procedures
140.25	Overpayment or Underpayment of Claims
140.26	Payment to Factors Prohibited

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					140.27 140.28 140.30 140.31 140.33 140.40 140.40 140.42 140.42 140.55 140.77 140.77	Assignment of Vendor Payments Record Requirements for Medical Providers Audits Audits Emergency Services Audits Prohibition on Participation, and Special Permission for Participation of List of Terminated, Suspended or Barred Entities False Reporting and Other Fraudulent Activities Frior Approval for Medical Services or Items Prior Approval in Cases of Emergency Limitation on Prior Approval Post Approval for items or Services When Prior Approval Cannot Be Obtained Recipient Eligibility Verification (REV) System Reimbursement for Medical Services Through the Use of a C-13 Invoice Drug Manual (Recodified)
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SUBPART C: PROVIDER ASSESSMENTS

	Hospital Provider Fund Developmentally Disabled Care Provider Fund Long Term Care Provider Fund Medicaid Developmentally Disabled Provider Participation Fee Trust Fund Medicaid Long Merm Care Drovider Darticination Fee Trust	Fundy Medical Long thin Cate Floy Lot Fail Light Fund General Requirements (Recodified) Special Requirements (Recodified) Special Requirements (Recodified) Covered Hospital Services (Recodified) Limitation On Hospital Services (Recodified) Fransplants (Recodified) Heart Transplants (Recodified) Liver Transplants (Recodified)	Bone Marrow Transplants (Recodified) Disproportionate Share Hospital Adjustments (Recodified) Payment for Inpatient Services for GA (Recodified) Hospital Outpatient and Clinic Services (Recodified) Hospital Outpatient and Clinic Services (Recodified) Payment for Hospital Services During Fiscal Year 1982 (Repealed) Payment for Hospital Services During Fiscal Year 1983 (Recodified) Dayment for Hospital Services During Fiscal Year 1983 (Recodified) Limits on Length of Stay by Diagnosis (Recodified) Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified) Copayments (Recodified) Payment Methodology (Recodified)
Section 140.80 140.82 140.84 140.94 140.96 140.99 140.100 140.100 140.100 140.100 140.110 140.110 140.200 140.201 140.201 140.201 140.201 140.201 140.201 140.201	c		

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ied)	(p)	ied)													ary Fu	use Se		and S		and		and			
Non-Participating Hospitals (Recodified)	Pre July 1, 1989 Services (Recodified)	Post June 30, 1989 Services (Recodified)	Prepayment Review (Recodified)	Base Year Costs (Recodified)	Restructuring Adjustment (Recodified)	Inflation Adjustment (Recodified)	Volume Adjustment (Repealed)	Groupings (Recodified)	Rate Calculation (Recodified)	Payment (Recodified)	Review Procedure (Recodified)	Utilization (Repealed)	Alternatives (Recodified)	Exemptions (Recodified)	Utilization, Case-Mix and Discretionary Funds (Repealed)	Subacute Alcoholism and Substance Abuse Services (Recodified)	Definitions (Recodified)	Types of Subacute Alcoholism and	(Recodified)	Payment for Subacute Alcoholism	(Recodified)	Rate Appeals for Subacute Alcoholism	(Recodified)	Hearings (Recodified)	
140.361	140.362	140.363	140.364	140.365	140.366	140.367	140.368	140,369	140.370	140.371	140.372	140.373	140.374	140.375	140.376	140.390	140.391	140.392		140.394		140.396		140.398	

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Рһагтасу	of Pharmacy	Pharmacy
Laboratories and Dispensing of	Dispensing Items	d Dispensing of
titioners, Nurses and vices s By Physicians vered By Physicians hysician Services for Prescriptions ans ices and Materials Optometric Services orrections Laboratory	Dental Services Limitations on Dental Services Requirements for Prescriptions and Items - Dentists	Limitations on Podiatry Services Limitations on Podiatry Services Requirement for Prescriptions and Items - Podiatry Chiropractic Services
Section 140.400 140.410 140.411 140.412 140.414 140.416 140.416	140.420 140.421 140.422	140.426

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	140.584 140.594 140.642 140.643 140.646 140.647 140.649 140.650 140.650 140.652 140.651	140.830 140.835 140.855 140.855 140.865 140.875 140.875 140.885 140.885 140.895 140.990 140.900 140.903 140.904 140.905 140.905
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			4	(Recodified)	
Midnight Census Report (Recodified)	Times and Staff Levels (Recodified)	Statewide Rates (Recodified)	Referrals (Recodified)	Basic Rehabilitation Aide Training Program (Recodified)	Interim Nursing Rates (Recodified)
140.907	140.908	140.909	140.910	140.911	140.912

SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

	General Description	Covered Services	Maternal and Child Health Provider Participation Requirements	Client Eligibility (Repealed)	Client Enrollment and Program Components (Repealed)	Reimbursement	Payment Authorization for Referrals (Repealed)	THE PROPERTY OF THE PROPERTY O
Section	140.920	140.922	140.924	140.926	140.928	140.930	140.932	

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section	
140.940	Illinois Competitive Access and Reimbursement Equity (ICARE) Progr (Recodified)
140.942	Definition of Terms (Recodified)
140.944	Notification of Negotiations (Recodified)
140.946	Hospital Participation in ICARE Program Negotiations (Recodified)
140.948	Negotiation Procedures (Recodified)
140.950	Factors Considered in Awarding ICARE Contracts (Recodified)
140.952	Closing an ICARE Area (Recodified)
140.954	Administrative Review (Recodified)
140.956	Payments to Contracting Hospitals (Recodified)
140.958	Admitting and Clinical Privileges (Recodified)
140.960	Inpatient Hospital Care or Services by Non-Contracting Hospita
	Eligible for Payment (Recodified)
140.962	Payment to Hospitals for Inpatient Services or Care not Provic
	under the ICARE Program (Recodified)
140.964	Contract Monitoring (Recodified)
140.966	Transfer of Recipients (Recodified)
140.968	Validity of Contracts (Recodified)
140.970	Termination of ICARE Contracts (Recodified)
140.972	Hospital Services Procurement Advisory Board (Recodified)
TABLE A	Medichek Recommended Screening Procedures (Repealed)
TABLE B	Geographic Areas
TABLE C	Capital Cost Areas
TABLE D	Schedule of Dental Procedures
TABLE E	Time Limits for Processing of Prior Approval Requests

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ce Reform Act es III, IV, V, 12-13 of the Illinois Public Aid Code (305 ILCS 5/Arts. III, IV, VI and 12-13].

emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 312, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; at 7 111. Reg. 7956, effective July 1, 1983; amended at 7 111. Reg. 8308, effective July 1, 1983; amended at 7 111. Reg. 8271, effective July 5, 1983; effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; 8 Ill. Reg. 21677, effective October 19, 1984; peremptory amendment at

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14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; III. Reg. 16758, effective September 28, 1987; amended at 11 III. Reg. 17295, effective September 30, 1987; amended at 11 III. Reg. 18696, effective October 27, 1987; amended at 11 III. Reg. 20909, effective December 14, 1987; amended 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 4302; amended at 11 111. Reg. 4303, effective March 6, 1987; amended at 11 111. Reg. 7664, effective April 15, 1987; emergency amendment at 11 111. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 111. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective at 9 111. Reg. 13998, effective September 3, 1985; amended at 9 I11. Reg. amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency III. Reg. 14714, effective August 27, 1986; amended at 10 III. Reg. 15211, effective September 12, 1986; emergency amendment at 10 III. Reg. 16729, October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 111. Reg. 21784, effective December 15, 1986; amended at 11 111. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 1987; amended at 11 111. Reg. 11528, effective June 22, 1987; amended at 11 111. Reg. 12290, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140. Table H and 140. Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. effective July 6, 1987; amended at 11 1111. Reg. 14048, effective August 14, at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. Reg. 18808, effective

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at 14 111. Reg. 17279, effective October 12, 1990; amended at 14 111. Reg. 18057, effective October 22, 1990; amended at 14 111. Reg. 18508, effective July 14, 1990; amended at 14 III. Reg. 4543, effective March 12, 1990; emergency amendment at 14 III. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended III. Reg. 5115, effective April 3, 1989; amended at 13 III. Reg. 5718, effective April 10, 1989; amended at 13 III. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 III. Adm. Code 146.5 thru 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru III. Reg. 2564, effective February 9, 1990; emergency amendment at 14 III. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 150 days; emergency amendment at 14 Ill. Reg. 14570, effective effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September effective November 6, 1988; amended at 12 111. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, III. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, a maximum of

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emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7104, effective May 17, 1993; expedited correction at 17 Ill. Reg. emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Req. 20478, effective December 7, 1990; amended at 14 Ill. December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective 111. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, Reg. 2951, effective February 17, 1993; amended at 17 111. Reg. 3421, 7078, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 111. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; maximum of 150 days; emergency amendment suspended effective October 12, 1993; effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993,

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emergency amendment at 22 Ill. Reg. 13117, effective July 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 153 2 ; effective amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 III. Reg. 4777, effective April 2, 1997; amended at 21 III. Reg. 6899, effective May 23, 1997; amended at 21 III. Reg. 9763, effective July 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; effective April 1, 1995; amended at 19 111. Reg. 7919, effective June 5, 1995; emergency amendment at 19 111. Reg. 8455, effective June 9, 1995, for a maximum 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 III. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, III. Reg. 16677, effective November 28, 1995; amended at 20 III. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.451 Prospective Drug Review and Patient Counseling

Each pharmacy must ensure that:

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- The requirements for patient counseling established by the Illinois Department of Professional Regulation at 68 Ill. Adm. Code 1330.65, including the requirements of confidentiality and documentation of refusal of offers of patient counseling by recipients, are met on a)
- recipient's drug therapy (prospective drug review or drug utilization recipient's care giver, a pharmacist must ensure that a review of the The review must include screening to identify potential Before each prescription is delivered to the recipient or drug was performed using commonly accepted drug therapy problems of the following types: evaluation) a
- Therapeutic duplication, including the prescribing and dispensing of two or more drugs from the same therapeutic class such that the combined daily dose puts the recipient at risk of an adverse medical result or incurs additional program costs without additional therapeutic benefit;
- occurrence of, an undesirable alteration of the therapeutic Drug-disease contraindication when there is the potential for, or the presence of a disease condition known to the pharmacist or that may reasonably be expected to be known to the pharmacist, or an adverse effect of the drug on the patient's disease condition effect of a given drug because of 57
- Adverse drug-drug interaction when there is the potential for, or occurrence of, a clinically significant adverse medical effect as the result of the recipient using two or more drugs together; 3
 - Perceived incorrect drug dosage or duration; and
 - Drug-allergy interactions.
- accepted drug review criteria are those criteria that are consistent with peer-reviewed medical literature (that is, scientific, medical and pharmaceutical publications in which original manuscripts are rejected or published only after having been critically reviewed by unbiased independent experts) and the following compendia: 히
- American Hospital Formulary Service Drug Information;
- American Medical Association Drug Evaluations; United States Pharmacopeia-Drug Information;

 - DRUG DEX Information System; and

Reg. 111. 22 (Source:

effective 16302

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Support Responsibility of Relatives 7
- Code Citation: 89 Ill. Adm. Code 103 2)
- Adopted Action: Amendment Section Numbers: 103.10 3
- Section 12-13 of the Illinois Public Aid Code [305 Statutory Authority: ILCS 5/12-13] 4)
- Effective Date of Amendments: August 28, 1998 2)
- Does this rulemaking contain an automatic repeal date? No (9
- No Do these Amendments contain incorporations by reference? 7
- is on file in the agency's principal office and is available ρŽ A copy of the adopted amendment, including any material incorporated for public inspection. reference, 8
- Notice of Proposal Published in Illinois Register: May 29, 1998 (22 Ill. Reg. 9255) 6
- 8 Has JCAR issued a Statement of Objections to these Adopted Amendments? 10)
- Differences between proposal and final version: No changes have been made in the text of the proposed amendments. 11)
- and JCAR been made as indicated in the agreement letter issued by JCAR? Yes Have all the changes agreed upon by the agency 12)
- Will these Amendments replace Emergency Amendments currently in effect? No 13)
- Are there any amendments pending on this Part? No 14)
- of an Illinois appellate court case, Jacobson v. IDPA, that determined the responsibility for children in the home who are 18 through 20 years of age. The changes to Section 103.10 specifically eliminate parental responsibility for such children. These amendments are not Summary and Purpose of Amendments: These amendments respond to the ruling Department has no legal authority to establish or enforce parental children after age 18 years of age who are living at home. According to the Department's current rules, parents bear legal financial expected to result in any budgetary changes for the Department. for financial 15)
- Information and questions regarding these Adopted Amendments shall directed to: 16)

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

201 South Grand Avenue East, Third Floor Illinois Department of Public Aid Bureau of Rules and Regulations Springfield, Illinois 62763 (217) 524-0081 Joanne Jones

The full text of the Adopted Amendments begins on the next page:

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

CHAPTER I: DEPARTMENT OF PUBLIC AID SUBCHAPTER a: GENERAL PROVISIONS TITLE 89: SOCIAL SERVICES

SUPPORT RESPONSIBILITY OF RELATIVES PART 103

Section

Incorporation By Reference 103.1

Support From Responsible Relatives 103.10

Determination Of Ability To Support 103.20 103.25

Establishment of Support Obligations

Redetermination of Ability To Support 103.30

Failure or Refusal to Provide Information Regarding Ability to Support Enforcement of Administrative Support Orders 103.35 103.40

Standard for Determining Responsible Relative Liability Modification or Release From Support Order TABLE A 103.50

AUTHORITY: Implementing and authorized by Article X of the Illinois Public Aid Code [305 ILCS 5/Art. X].

171, effective October 1, 1979; amended at 6 Ill. Reg. 7441, effective June 16, 1982; codified at 7 Ill. Reg. 6493; amended at 10 Ill. Reg. 21898, effective December 12, 1986; amended at 11 Ill. Reg. 6493, effective March 27, 1987; amended at 12 Ill. Reg. 14681, effective August 31, 1988; amended at 13 Ill. Reg. 2496, effective February 14, 1989; amended at 13 Ill. Reg. 3954, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 16180, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 6395, effective April 16, 1990; amended at 14 Ill. Reg. 13288, effective August 6, 1990; amended at 14 Ill. Reg. 19348, effective November 30, SOURCE: Filed and effective December 30, 1977; amended at 3 Ill. Reg. 41, p. 1990; amended at 17 Ill. Reg. 655, effective December 31, 1992; amended at AUG 2 8 1998 Ill. Reg. 16918 , effective

Section 103.10 Support From Responsible Relatives

- a) The Department shall seek to obtain support for recipients from support obligations with the following exception: the Department shall not seek to obtain support for residents of long term care facilities if income of the spouse in the community is less than or equal to the Spouse Maintenance Needs Standard (as described at 89 Ill. enforcement of the legally responsible individuals and shall seek Adm. Code 120.61). Community
- The following persons are "responsible relatives" who are legally responsible for the financial support and maintenance of recipients: (q
 - Spouse for spouse.
- Parents for children under 18 years of age.
- Parents-of-children-age-18-through-28-if-living-with-the-parents-

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- relatives who are receiving public assistance and/or Supplemental Security Income (SSI) benefits shall be considered unable Responsible to support. G
- support and maintenance of a child of any age who has married (regardless of current marital status) and is not living with the parent or parents. A parent is not legally responsible for the financial (p

effective 16818 Reg. 111. 22 AUG 2 8 1998 (Source: Amended

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DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Motor Fuel Tax 7
- Code Citation: 86 Ill. Adm. Code 500 2)
- Adopted Action: Amendment Section Numbers: 3)
- Statutory Authority: 35 ILCS 505 4)
- Effective Date of Amendment(s): August 25, 1998 2
- Does this rulemaking contain an automatic repeal date? (9
- Does this amendment contain incorporations by reference? 2
- A statement that a copy of the amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection. 8
- Notice of Proposal Published in Illinois Register: May 15, 1998, 22 Ill. Reg. 8371 6
- Has JCAR issued a Statement of Objections to these Amendments? 10)
- The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made. Differences between proposal and final version: 11)
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes 12)
- Will this amendment replace an emergency amendment currently in effect? 13)
- Are there any amendments pending on this Part? Yes 14)

IL Register Citation 5/8/98, 22 Ill. Reg. 7895 Proposed Action Amendment Section Numbers

- Fuel Tax Regulations by allowing the Department to accept Motor Fuel Tax estimated refund claims when those claims are supported by verifiable documentation retained in the taxpayer's books and records. Summary and Purpose of Amendment(s): This rulemaking amends the Motor 15)
- Information and questions regarding this adopted amendment shall be directed to: 16)

DEPARTMENT OF REVENUE

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Illinois Department of Revenue 62794 Springfield, Illinois Phone: (217) 782-6996 Legal Services Office 101 West Jefferson Associate Counsel Gina Roccaforte

The full text of the Adopted Amendment begins on the next page:

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DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

CHAPTER I: DEPARTMENT OF REVENUE TITLE 86: REVENUE

MOTOR FUEL TAX PART 500

SUBPART A: DEFINITIONS

Documentation of Tax-free Sales of Fuel Made by Licensed Receivers Basis and Rate of Tax Payable by Receivers SUBPART B: MOTOR FUEL TAX Basis and Rate of the Motor Fuel Tax Documentation of Tax-free Sales Definition of Receiver (Repealed) Definition of Loss (Repealed) Report of Loss of Motor Fuel Distributors and Suppliers Daily Gallonage Record Monthly Returns Definitions Licensure 500.100 500.102 Section 500.200 500.203 500.204 500.205 500.210 500.215 500.220 Section 500.201 500.202

of Motor Fuel Made by Licensed Motor Fuel Consumed by Distributors, Special Fuel Consumed by Procedure When Tax-Paid Motor Fuel is Returned to Licensee for Credit Sales of Motor Fuel to Municipal Corporations Owning and Operating to Certain Privately-Owned Public Utilities When Purchaser's License Number With Department on Invoices Covering Vehicles of Distributors Transporting Petroleum Products (Repealed) Owning and Operating Transportation Systems in Metropolitan Areas Distributors' and Suppliers' Claims for Credit or Refund Revocation of License, Etc. - Notice - Hearing Sales of Special Fuel is Required (Repealed) Sales of Special Fuel - Variation in Usage Claimants Owning Motor Vehicles (Repealed) Suppliers and Fuel Consumed by Receivers Estimated Claims Not-Acceptable Claims for Refund - Invoices Receivers' Claims for Credit Local Transportation Systems Other Vehicles (Repealed) Sales of Motor Fuel Detailed Answers 500.225 500.230 500.235 500.240 500.245 500.250 500.265 500.270 500.285 500.290 500.255 500.260 500.275 500.280

Cost of Collection - Determination (Repealed)

500.295

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SUBPART C: MOTOR FUEL USE TAX

Special Motor Fuel Permits and Decals (Repealed) Motor Carrier's Quarterly Report (Repealed) Quarterly Payment and Reporting Renewal of Decals and Licenses Display of License and Decals Licensure of Lessors and Cancellation of License Records Requirements Single Trip Permits Licenses and Decals Credits and Refunds Protest Procedures Revocation Licensure Audits 550.350 550.355 550.360 500.320 500.330 500.302 500,305 500.310 500.315 500.325 550.335 550.340 550.345 Section 500.301

SUBPART D: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Due Date That Falls on Saturday, Sunday or a Holiday General Information 500.400 Section

GENERAL REQUIREMENTS APPLICABLE TO ALL LICENSES AND PERMITS ISSUED UNDER THE MOTOR FUEL TAX LAW SUBPART E:

Blenders' Permits Are Not Transferable (Repealed) Licenses and Permits Are Not Transferable Changes of Corporate Officers 500.500 500.505 Section 500,501

SUBPART F: INCORPORATION BY REFERENCE OF RETAILERS' OCCUPATION TAX

Section

þλ AUTHORITY: Implementing the Motor Fuel Tax Law [35 ILCS 505] and authorized by Incorporation of the Retailers' Occupation Tax Regulations Reference 500.600

SOURCE: Adopted July 3, 1931; amended at 2 Ill. Reg. 1, p. 97, effective December 31, 1978; amended at 3 Ill. Reg. 13, p. 98, effective March 25, 1979; amended at 4 Ill. Reg. 28, p. 568, effective June 1, 1980; codified at 8 Ill. Section 39b2 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b2].

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Reg. 13271, effective August 7, 1989, for a maximum of 150 days; emergency expired January 4, 1990; amended at 14 Ill. Reg. 6826, effective April 19, 1990; amended at 15 Ill. Reg. 6305, effective April 16, 1991; amended at 15 22 III. Reg. 14917, ACCF Schill and 3, 1998; amended at 22 p, effective Ill. Reg. 13538, effective August 30, 1991; recodified at 18 Ill. Reg. 4451; amended amended at 19 Ill. Reg. 3008, effective February 28, 1995; amended at 19 Ill. Reg. 17195, effective December 18, 1995; amended at $20~\mathrm{Ill.~Reg.~10168}$, effective July 16, 1996; amended at $22~\mathrm{Ill.~Reg.~2253}$, effective January 9, 11 Ill. Reg. 10295, effective May 18, 1987; emergency amendment at 13 Ill. 1986; Reg. 8612; amended at 10 Ill. Reg. 4540, effective February 28, 111. Reg. 16322, effective 1998; amended

SUBPART B: MOTOR FUEL TAX

Section 500.245 Estimated Claims Not-Aeceptable

are based upon a showing that part-of such motor fuel was retained in the claimant's books and records with-such-certainty-as-is-possible and-practicable, they-will-be-rejected. Only claims which can be are supported The Department will not approve claims for refund of Motor Fuel Tax only when claimed can cannot, as a practical matter, be definitely-and-exactly calculated When Even-where such claims are estimated or calculated, they must be supported by verifiable documentation positive proof of the exact amount of motor fuel not used for a taxable used for a nontaxable taxable purpose, and that the part for which refund and itemized, -- but -- can -- only -- be -- estimated. purpose will be approved. where such claims

effective 16322 Reg. 111. 22 Amended at AUG 2 5 1998 (Source: Amended

NOTICE OF ADOPTED AMENDMENTS

- Inspection Procedures for Special Education School Heading of the Part: 7
- Code Citation: 92 Ill. Adm. Code 445 2)
- Adopted Action: New Section Amend Amend Amend Amend Section Numbers: 445.Appendix A 445.Appendix B 445.10 445.25 445.40 3)
- Statutory Authority: Implementing and authorized by Article VIII of the Illinois Vehicle Equipment Law [625 ILCS 5/Ch. 12, Art. VIII] and the Statutory Authority: Implementing and authorized by Article VIII of Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] 4)
- Effective Date of Amendments: August 25, 1998 2)
- Does this rulemaking contain an automatic repeal date? No (9
- conform to Section 5-75(a) of the Illinois Administrative Procedure Act. by reference? Does this amendment contain incorporations 7
- of the adopted amendments, including any material incorporated by reference, is on file at the Department's Division of Traffic Safety and is available for public inspection. 8)
- Notice of Proposal Published in Illinois Register: January 30, 1998, 22 Ill. Reg. 2558 6
- Has JCAR issued a Statement of Objections to these rules? No 10)
- changes have been made throughout the Part. Additionally, the following 445. Appendices Various grammatical and (B)(d), the Department revised language under "Procedures" and changes were made pursuant to public comment: At Section Differences between proposal and final version: 'Reject Vehicle If". 11)
- Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes 12)
- Will these amendments replace emergency amendments currently in effect? 13)
- % 0 0 0 Are there any amendments pending on this Part? 14)
- this Notice, the Department is the Illinois School bus inspection Summary and Purpose of Amendments: By updating, clarifying and correcting 15)

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following details The school buses. specific changes made to Sections in this Part. procedures for special education

Department added a statutory citation that requires appropriate restraining or safety devices for The Section 445.10 Purpose and Scope: persons with disabilities. The Department added a new Section to incorporate by reference federal Incorporation by Reference of Federal Regulations: standards as of October 1, 1996. 445.25

Section 445.40 Definitions: The Department amended the definition of "school bus". The Department also removed references to federal final rules that are now contained in the CFR. Procedures for Type I Special Education School Buses: The Department added a provision regarding the use of seat safety special education purposes; established criteria for the condition of seat belts including that they be firmly secure if present; added a requirement for the use of an optional retractor on seat belts; and amended rejection criteria for seat safety belts. Section 445.Appendix A belts for

established criteria for the condition of seat safety belts including that Buses: The Department clarified the federal standard that requires seat on Type II school buses manufactured on or after April 1, 1977; they be readily available for quick and easy use; added a requirement for Section 445. Appendix B Procedures for Type II Special Education School the use of an optional retractor on seat belts; and amended rejection criteria for seat safety belts.

rule regarding this adopted repealer) shall be directed to: Information and questions 16)

Illinois Department of Transportation Springfield, Illinois 62794-9212 Division of Traffic Safety Regulations Unit Ms. Cathy Allen P.O. Box 19212 217/785-1181 The full text of the Adopted Amendments begins on the next page:

NOTICE OF ADOPTED AMENDMENTS

TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS) CHAPTER I: DEPARTMENT OF TRANSPORTATION TITLE 92: TRANSPORTATION SUBCHAPTER e:

PART 445

INSPECTION PROCEDURES FOR SPECIAL EDUCATION SCHOOL BUSES

Purpose and Scope Section 445.10

445.20

Application

Incorporation by Reference of Federal Regulations 445.25

Standards of Construction Definitions 445.40 445.30

Procedures for Type I Special Education School Buses APPENDIX

Procedures for Type II Special Education School Buses e m APPENDIX AUTHORITY: Implementing and authorized by Article VIII of the Illinois Vehicle Equipment Law [625 ILCS 5/Ch. 12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13].

Adopted at 19 111. Reg. 4503, effortive Magsh 13, 1995; amended at Ill. Reg. SOURCE:

Section 445.10 Purpose and Scope

- persons with disabilities shall be equipped with an appropriate restraining or safety device for each such passenger. (Section 12-810 Each school bus which is operated for transporting passengers who are of the Illinois Vehicle Equipment Law) a)
- 1a) Implementation of Article VIII of the Illinois Vehicle Equipment This Part prescribes the requirements of the Illinois Department Transportation governing: a
- 2b) Inspection procedures for special education school buses. Law [625 ILCS 5/Ch. 12, Art. VIII]; and

Reg. 111. 22 (Source: AMULE 5 1958

Section 445.25 Incorporation by Reference of Federal Regulations

regulations are available for inspection at the Department's Commercial Vehicle Safety Section, 3215 Executive Park Drive, Springfield, Illinois 62703, (217) Whenever this Part refers to the Code of Federal Regulations and that reference incorporates the federal regulations by reference, the federal regulations incorporated shall be that which was effective as of October 1, 1996, not including any later amendments or editions. Copies of appropriate federal

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785-1181.

effective 16327 Reg. 111. 22 at AUG 2 5 1998 (Source: Added

Definitions Section 445.40 cargo spaces and separates those spaces from the chassis frame, engine compartment, driveline, and other chassis components, except certain "Body" - Portion of vehicle that encloses the occupant and chassis controls used by the driver. 'Body-on-Chassis" - Completed vehicle consisting of a passenger seating body mounted on a truck type chassis (or other separate chassis) so that the body and chassis are separate entities, although one may reinforce or brace the other. "Bus" - Every motor vehicle, other than a commuter van, designed for (Section 1-107 of the Illinois carrying more than ten persons. (Section Vehicle Code (the Code) $[625\ \mathrm{ILCS}\ 5/1-107])$

Chassis" - Every frame or supportive element of a school bus that contains but is not limited to the axles, engine, drive train, steering components, and suspension which the body is attached to. (Section 1-110.1 of the Code)

"Code" - The Illinois Vehicle Code [625 ILCS 5].

"Commercial Vehicle Safety Section" (CVSS)" - A section of the Bureau of Safety Programs of the Division of Traffic Safety of the Illinois Department of Transportation.

of State agents the directly or through its authorized "Department" - The Department of Transportation of officers. (Section 13-100 of the Code) acting Illinois,

vehicle with maximum capacity of all fluids necessary for operation of the vehicle but without account.

rules, The (FMVSS)" regulations and standards set forth in 49 CFR 571. "Federal Motor Vehicle Safety Standards"

"Illinois Vehicle Equipment Law" - 625 ILCS 5/Ch. 12.

"Individualized Education Program (IEP)" - A written statement for an exceptional child that provides at least a statement of the child's present levels of educational performance; annual goals and short-term

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services (includes transportation); the extent of participation in the regular education program; the projected dates for initiation of services; anticipated duration of services; appropriate objective instructional objectives; specific special education and related procedures; and a schedule for annual following participants The determination of short-term objectives. and evaluation develop the child's IEP:

- the local district, other than the child's who is special provision of services and teacher, who is authorized to commit qualified to provide or supervise the A representative of education. #
- The child's teacher. 5 +
- One or both of the child's parents or guardians (if possible). 1E
- The child, where appropriate. 4+
- parent or local the oţ Other individuals at the discretion district. 5

"Manufacturer" - Unless otherwise indicated at the point of use, means OF "MANUFACTURED BY" "MFD BY" on the federal and State certification label. the person or organization whose name follows

Passenger" - Every occupant of the vehicle who is not the driver.

Date when purchase transaction was completed, not when body or chassis was built. "Purchase Date"

"School Bus" -

Type I School Bus - A School Bus with gross vehicle weight rating of more than 10,000 pounds.

weight rating of 10,000 pounds or less. (Section 12-800 of the Illinois vehicle Type II School Bus - A School Bus with gross Vehicle Equipment Law)

persons regularly enrolled as students in grade 12 or below in Every motor vehicle, except as provided below, owned or operated by or for any of the following entities for the transportation of connection with any activity of such entity:

Any public or private primary or secondary school;

secondary school operated by a religious Any primary or

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institution; or

Any public, private or religious nursery school.

This definition shall not include the following:

A bus operated by a public utility, municipal corporation or transportation of passengers when such bus is not traveling common carrier authorized to conduct local or interurban a specific school bus route but is: offor the transportation On a regularly scheduled route other fare paying passengers;

on field trips or other special trips or in connection with Furnishing charter service for the transportation of groups other special events; or Being used for shuttle service between attendance centers or other educational educations facilities. A motor vehicle of the first division. (Section-1-182-of-the

7 nor more than 16 persons that is operated by or for a public or secondary school operated by a religious institution, for the of transporting not more than 15 students to and from A motor vehicle designed for the transportation of not less than private primary or secondary school, including any primary or interscholastic or school sponsored activities. (Section 1-182 of the Code) other interscholastic athletic or

secure a person in a motor vehicle in order to mitigate the results of any accident, including all necessary buckles and other fasteners, and Seat Safety Belt" - Any strap, webbing, or similar device designed to all hardware designed for installing such seat belt assembly in a motor vehicle. "Special Education School Buses" - Vehicles constructed to transport children with special needs which require the alteration of lifts, ramps, (i.e., requirements accommodations). component

"Vehicle"

theFirst Division: Those motor vehicles which are designed for carrying of not more than ten persons.

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Second Division: Those vehicles which are designed for carrying more than ten persons, those designed or used for living quarters and those vehicles which are designed for pulling or carrying property, freight or cargo, those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division, and those motor vehicles of the First Division used and registered as school buses. (Section 1-217 of the Code)

"Wheelchair Occupant Restraints" - Any strap, webbing or similar device designed to secure a person in a wheelchair in order to mitigate the results of any accident, including all necessary buckles and other fasteners, and all hardware designed for installing such restraint in a school bus.

"Wheelchair Securement Anchorages" - The provision for transferring wheelchair securement loads to the vehicle structure. Commonly referred to as fastening devices. (49 CFR 571.222 50-FR-45867-January ±57-1993)

"Wheelchair Securement Device" - A strap, webbing or other device used for securing a wheelchair to the school bus, including all necessary buckles and other fasteners. (49 CFR 571.222 50-FR-45867-January--157.999)

(Source: Amended at 22

Ill. Reg. 16327 =, effective

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Section 445. APPENDIX A Procedures for Type I Special Education School Buses

Generally, a school bus used for transporting children declared eligible for special transportation services shall comply with the applicable minimum standards for either a Type I school bus (see 92 III. Adm. Code 440) or a Type II school bus (see 92 III. Adm. Code 442). However, due to the nature of transportation shall be adapted to the specific needs of the children receiving this service. These needs may require modification of the minimum standards. Equipment necessary for the transportation of special education students must be resolved in the student's Individualized Education Program.

The interior design of these vehicles will not be a cause for rejection provided an approval, issued by the Department, is presented to the Certified Safety Tester at the time of inspection.

a) Grab Handles

PROCEDURES/SPECIFICATIONS:

Grab handles shall be provided on each side of front right service door only when this door is used for entry and exit of children.

REJECT VEHICLE IF:

Grab handles are not securely attached; do not meet requirements or are missing.

b) Lifts and

Ramps

PROCEDURES/SPECIFICATIONS:

Floor of ramp or lift shall be covered with nonskid material.

Protection against dust and water sufficient to ensure reliable operation must be present.

REJECT VEHICLE IF:

Lifts and ramps do not operate properly or do not meet requirements.

1) Power Lift

PROCEDURES/SPECIFICATIONS:

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If power lift is used, it shall be of sufficient capacity and dimension to lift maximum imposed load, lift at top and bottom travel limits shall provide easy entrance and exit from the lift

If electricity is used, the alternator or generator and battery must be of increased capacity.

Controls shall be operable from both interior and exterior of vehicle.

Device shall be installed that will be used to prevent operation of lift until doors are opened.

In travel position, the lift must be in its uppermost position and securely fastened.

Vehicles of less than 54-passenger capacity constructed for transportation of handicapped children may have the fuel tank located behind rear wheels, inside or outside chassis frame, with fill pipe located on right side of body.

REJECT VEHICLE IF:

Power lift does not operate properly or does not meet requirements.

PROCEDURES/SPECIFICATIONS:

Ramp

2)

Ramp shall be of sufficient strength and rigidity to support the imposed load. Shall be equipped with protective flange on each longitudinal side to keep wheelchair on ramp.

Ramp shall be equipped with handle, or handles, and be of sufficient weight to permit one person to put ramp in place and return to storage place.

Ramp shall be connected to bus at floor level in such manner as to permit easy access of wheelchair to floor of bus.

Ramp length shall be sufficient for easy entry and exit.

REJECT VEHICLE IF:

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Ramp does not operate properly; does not meet requirements.

c) Over Center

Door

Control PROCEDURES/SPECIFICATIONS:

Over center door control shall be provided only when this door is used for entry and exit of children.

REJECT VEHICLE IF:

If installed, does not operate properly. Does not meet requirements. Missing when required.

Seat Safety PROCEDURES/SPECIFICATIONS:

q

Passenger seats on Type I school buses are not required by State or federal law to be equipped with seat safety belts. However, seat safety belts may be required pursuant to a student's IEP or as stated below.

If seat safety belts are present, they must be firmly secure. They must not show excessive wear and the buckle must function properly. Each seat safety belt must be readily available for quick and easy use. If retractors are installed, they must be the automatic locking type. Seat--safety--belts-may-be-installed-if-they-are-securely fastened-to-the-seat-or-the-floor of-the-vehicle.

Special education school buses may be equipped with passenger seats that do not have guard barriers installed in front of them. These passenger seats are to be used only by students' aides student's-aids and must be equipped with seat safety belts at each location used by an aide aid. The school bus driver must present a letter from the commercial Vehicle Safety Section approving this exception.

REJECT VEHICLE IF:

If present instabled, seat safety belts are not firmly secure or show excessive wear, or buckle does not function properly, are-not-securely-fastened--to-the-seat-or-the floor-of-the-wehicle-

Barrier is not present in front of <u>aide's aids</u> seat and no seat safety belts are provided. No letter of exception provided.

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PROCEDURES/SPECIFICATIONS:

Special

(a

Light

Light shall be placed inside bus over special service door opening, or at other location if shielded to prevent glare. The lamp shall illuminate the floor inside the opening and shall be operated from door area.

REJECT VEHICLE IF:

operate properly; does not meet requirements or is missing. Special light does not

PROCEDURES/SPECIFICATIONS:

Service Special

£)

Door

prevent door, when open, from A special door opening may be located on right side of bus obstructing front right service door. Door opening shall be adequate to accommodate wheel chairs. far enough to rear to

equipped with device that will actuate audible or visible signal, located in driver's compartment, when special service door is not securely closed. Door shall be

Each door shall contain a fixed or movable window aligned with and of same size (as nearly as practicable) as other windows on right side of bus.

and Each door panel shall open outward and a positive fastening When the special service door is completely open for being held by the fastening device, the audible alarm can device shall be installed to hold door in open position. loading and unloading passengers with special needs be deactivated.

Door panels shall be constructed to be equivalent strength and materials to other school bus doors.

bus not used for service doors. Outriggers from chassis shall be installed at front and rear of door openings to support floor with same strength as other floor portions. posts and headers shall be reinforced sufficiently to provide support and strength equivalent to area of side of

Bi-parting doors must meet the following requirements:

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Bi-parting doors shall be made of two panels of approximately equal width. They shall be hinged to side of bus and each panel shall open outward. Forward panels shall be provided with overlapping flange to close space where door panels meet and weather seal shall be provided to close all door edges. Bi-parting doors shall be equipped with at least one-point fastening device on rear panel to floor or header and at least two-point fastening device to floor and header on forward door panel, both manually operated.

meet they provided acceptable manufacturer's specifications. are doors Sliding

REJECT VEHICLE IF:

meet requirements; audible or visible alarm does not work Special service door does not operate properly; does or is missing.

Bees not meet requirements. Door does not seal properly. Bi-parting or sliding doors do not operate properly. Weather seal is cracked or missing.

Wheelchair g)

PROCEDURES/SPECIFICATIONS: Restraints Occupant

- restraints must be installed at each wheelchair For buses manufactured prior to January 17, 1994, The restraints must be securely anchored to the location which transports a student in a wheelchair. wheelchair wheelchair or the floor of the vehicle. and adequate appropriate 7
- each wheelchair location that which transports a For buses manufactured on or after January 17, 1994, student in a wheelchair must be equipped with: 5)
- Not less than one anchorage for the upper end of the upper torso restraint; A)
- Not less than two floor anchorages for wheelchair occupant pelvic and upper torso restraint; and B

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C) Wheelchair occupant pelvic and upper torso restraints. (49 CFR 571.222 50-FR 45067-January-157-1999)

REJECT VEHICLE IF:

Wheelchair occupant restraints do not meet requirements.

h) Wheelchair Securement Anchorages

PROCEDURES/SPECIFICATIONS:

In buses manufactured prior to January 17, 1994, positive wheelchair securement anchorages shall be provided and attached to the floor, walls, or both, that will securely hold wheelchair in position in bus.

In buses manufactured on or after January 17, 1994, each wheelchair location must be equipped with forward-facing equipped wheelchair securement anchorages. Additional securement anchorages which allow other than forward-facing equipped orientation can be added to a wheelchair location provided the forward-facing equipped anchorages are not altered and the additional anchorages meet the same standards as the existing fastening devices. (49 CFR 571.222 58-FR-45867-January-157-1993)

In buses manufactured on or after January 17, 1994, each wheelchair location must be equipped with two wheelchair securement anchorages in the rear and two anchorages in the front. Each securement device must be either of webbing or strap and provide means of adjustment or of a design that provides limited movement. (49 CFR 571.222 50-FR-45067 January-157-1999)

REJECT VEHICLE IF:

In buses manufactured prior to January 17, 1994, wheelchair securement anchorages securety do not securely hold wheelchair to floor, walls or both.

In buses manufactured on and after January 17, 1994:

 Each wheelchair location is not equipped with <u>forward-facing</u> equipped wheelchair securement anchorages. Additional anchorages do not meet same standards as existing anchorages.

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NOTICE OF ADOPTED AMENDMENTS

 Wheelchair securement anchorages do not meet requirements. (Source: Amended at 22 Ill. Reg. 16327, effective AUG 251998)

NOTICE OF ADOPTED AMENDMENTS

Section 445.APPENDIX B Procedures for Type II Special Education School Buses

Generally, a school bus used for transporting children declared eligible for special transportation services shall comply with the applicable minimum standards for either a Type I school bus (see 92 Ill. Adm. Code 440) or a Type II school bus (see 92 Ill. Adm. Code 441). However, due to the nature of certain challenging conditions, vehicles utilized for special education transportation shall be adapted to the specific needs of the children receiving this service. These needs may require modification of the minimum standards. Equipment necessary for the transportation of special education students must be resolved in the student's Individualized Education Program.

The interior design of these vehicles will not be a cause for rejection provided an approval, issued by the Department, is presented to the Certified Safety Tester at the time of inspection.

) Grab Handles

PROCEDURES/SPECIFICATIONS:

Grab handles shall be provided on each side of front right service door only when this door is used for entry and exit of children.

REJECT VEHICLE IF:

Grab handles are not securely attached, do not meet requirements or are missing.

b) Lifts and Ramps

PROCEDURES/SPECIFICATIONS:

Floor of ramp or lift shall be covered with nonskid material.

Protection against dust and water sufficient to ensure reliable operation must be present.

REJECT VEHICLE IF:

Lifts and ramps do not operate properly or do not meet requirements.

1) Power Lift

PROCEDURES/SPECIFICATIONS:

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If power lift is used, it shall be of sufficient capacity and dimension to lift maximum imposed load, lift at top and bottom travel limits shall provide easy entrance and exit from the lift.

If electricity is used, the alternator or generator and battery must be of increased capacity. Controls shall be operable from both interior and exterior of vehicle.

Device shall be installed that which will be used to prevent operation of lift until doors are opened.

In travel position, the lift must be in its uppermost position and securely fastened.

Vehicles of less than 54-passenger capacity constructed for transportation of handicapped children may have the fuel tank located behind rear wheels, inside or outside chassis frame, with fill pipe located on right side of body.

REJECT VEHICLE IF:

Power lift does not operate properly or does not meet requirements.

2) Ramp

PROCEDURES/SPECIFICATIONS:

Ramp shall be of sufficient strength and rigidity to support the imposed load. Shall be equipped with protective flange on each longitudinal side to keep wheelchair on ramp.

Ramp shall be equipped with handle, or handles, and be of sufficient weight to permit one person to put ramp in place and return to storage place.

Ramp shall be connected to bus at floor level in such manner as to permit easy access of wheelchair to floor of bus

Ramp length shall be sufficient for easy entry and exit.

REJECT VEHICLE IF:

NOTICE OF ADOPTED AMENDMENTS

meet not does or operate properly does not requirements.

Over Center (c)

Control

PROCEDURES/SPECIFICATIONS:

Over center door control shall be provided only when this door is used for entry and exit of children.

REJECT VEHICLE IF:

If installed, does not operate properly, does not meet requirements or is missing when required.

q)

Seat Safety

PROCEDURES/SPECIFICATIONS:

designated seating buses manufactured on or after April 1, 1977, seat position and must meet all applicable requirements of safety belts are required at each ₹49 CFR 571.22228897± In

In--buses--manufactured--prior-to-April-17-1977-seat-belts are-optional:--If-seat-belts-are-installed;--they--must--be securely-fastened-to-the-seat-or-the-floor-of-the-vehicler

and easy use. They must not show excessive wear and the buckle must function properly. If retractors are Each seat safety belt must be readily available for quick If retractors installed, they must be the automatic locking type. properly.

passenger seats that do not have guard barriers installed in front of them. These passenger seats are to be used Special education school buses may be equipped with only by students' aides aids and must be equipped with seat The school bus driver must present a letter from the safety belts at each seating location used by an aide aid. Commercial Vehicle Safety Section approving this exception.

REJECT VEHICLE IF:

#f---installedy---seat safety belts do not meet requirements. are-not-securely-fastened-to-the-seat-or--the floor-of-the-vehicle-

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NOTICE OF ADOPTED AMENDMENTS

No letter of exception Barrier is not present in front of aide's aid-s seat and seat safety belt is provided. provided.

PROCEDURES/SPECIFICATIONS:

Special

(e

Light

The lamp shall illuminate the floor inside the opening and Light shall be placed inside bus over special service door opening, or at other location if shielded to prevent glare. shall be operated from door area.

REJECT VEHICLE IF:

Special light does not operate properly, does not meet requirements or is missing.

Special Ę

Service Door

PROCEDURES/SPECIFICATIONS:

obstructing front right service door. Door opening shall A special door opening may be located on right side of bus Ear enough to rear to prevent door, when open, from be adequate to accommodate wheel chairs.

Door shall be equipped with device that will actuate audible or visible signal, located in driver's compartment, when special service door is not securely closed. Each door shall contain a fixed or movable window aligned with and of same size (as nearly as practicable) as other windows on right side of bus.

When the special service door is completely open for loading and unloading passengers with special needs and being held by the fastening device the audible alarm can be Each door panel shall open outward and a positive fastening device shall be installed to hold door in open position. deactivated. Door panels shall be constructed to be equivalent in strength and materials to other school bus doors. Door posts and headers shall be reinforced sufficiently to provide support and strength equivalent to area of side of bus not used for service doors. Outriggers from chassis shall be installed at front and rear of door openings to

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support floor with same strength as other floor portions.

Bi-parting doors (if installed) must meet the following requirements:

Bi-parting doors shall be made of two panels of approximately equal width. They shall be hinged to side of bus and each panel shall open outward. Forward panels shall be provided with overlapping flange to close space where door panels meet and weather seal shall be provided to close all door edges.

Bi-parting doors shall be equipped with at least one-point fastening device on rear panel to floor or header and at least two-point fastening device to floor and header on forward door panel, both manually operated.

Sliding doors are acceptable provided they meet manufacturer's specifications.

REJECT VEHICLE IF:

Special service door does not operate properly. Does not meet requirements. Audible or visible alarm does not work or is missing.

Bi-parting or sliding doors do not operate properly or do not meet requirements. Door does not seal properly. Weather seal is cracked or missing.

g) Wheelchair Occupant Restraints

PROCEDURES/SPECIFICATIONS:

- 1) For buses manufactured prior to January 17, 1994, appropriate and adequate wheelchair occupant restraints must be installed at each wheelchair location which transports a student in a wheelchair. The restraints must be securely anchored to the wheelchair or the floor of the vehicle.
- For buses manufactured on or after January 17, 1994, each wheelchair location which transports a student in a wheelchair must be equipped with:
- A) Not less than one anchorage for the upper end of the upper torso restraint;

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- B) Not less than two floor anchorages for wheelchair occupant pelvic and upper torso restraint; and
- C) Wheelchair occupant pelvic and upper torso restraints. (49 CFR 571.222 50-FR 45067-January-157-1993)

REJECT VEHICLE IF:

Wheelchair occupant restraints do not meet requirements.

h) Wheelchair Securement

Anchorages

PROCEDURES/SPECIFICATIONS:

In buses manufactured prior to January 17, 1994, positive wheelchair securement anchorages shall be provided and attached to the floor, walls, or both, that will securely hold wheelchair in position in bus.

In buses manufactured on or after January 17, 1994, each wheelchair location must be equipped with forward-facing equipped wheelchair securement anchorages. Additional securement anchorages that which allow other than forward-facing equipped orientation can be added to a wheelchair location provided the forward-facing equipped anchorages are not altered and the additional anchorages meet the same standards as the existing fastening devices. (49 CFR 571.222 58-FR-45067-danuary-157-1994)

In buses manufactured on or after January 17, 1994, each wheelchair location must be equipped with two wheelchair securement anchorages in the rear and two anchorages in the front. Each securement device must be either of webbing or strap and provide means of adjustment or of a design that provides limited movement. (49 CFR 571.222 50-FR-45967 January-157-1999)

REJECT VEHICLE IF:

In buses manufactured prior to January 17, 1994, wheelchair securement anchorages securety do not securely hold wheelchair to floor, walls or both.

In buses manufactured on and after January 17, 1994:

NOTICE OF ADOPTED AMENDMENTS

- Each wheelchair location is not equipped with foward-facing equipped wheelchair securement meet same standards as existing anchorages. anchorages. Additional anchorages do not 1)
- Wheelchair securement anchorages do not meet requirements. 2)

effective ્ય જ જ જ Reg. 111. 22 at AUG 2 5 1998 Amended (Source:

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NOTICE OF EMERGENCY AMENDMENTS

- Heading of the Part: . Aid to the Aged, Blind or Disabled 7
- Code Citation: 89 Ill. Adm. Code 113 2)
- Emergency Action: Section Numbers: 3
- Statutory Authority: Implementing Hicks v. Peters, 98 C 3247 4)
- September 1, 1998 Effective Date of Emergency Amendments: 2)
- Not If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire: applicable (9
- Date filed with the Index Department: September 1, 1998 2
- A copy of the emergency amendments, including any material incorporated by reference, are on file in the agency's principal office and is available for public inspection. 8
- Reason for Emergency: The Court Order implementing the Hicks v. Peters decision requires the Department to file an Emergency Rule by September 21, 1998, to implement the decision. 6

A Complete Description of the Subject and Issues: 10)

benefit level for the comparable program. This rulemaking repeals those unconstitutional. Hicks v. Peters, 98 C 3247. This provision limited new residents to Illinois to the benefit levels of their previous state for 12305 ILCS 5/11-30 months, if the previous state's benefit level was lower than Illinois' Sections of the Department's rules which implement 305 ILCS 5/11-30. Court has found States District A United

Companion amendments are also being proposed to 89 Ill. Adm. Code 112 and

11) Are there any other amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
113,157	Amendment	22 Ill. Reg. 11266
113,158	New Section	22 Ill. Reg. 11266
113.320	Amendment	22 Ill. Reg. 10961

- Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate. 12)
- Information and questions regarding these amendments shall be directed to: 13)

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NOTICE OF EMERGENCY AMENDMENTS

Bureau Administrative Rules and Procedures Mrs. Susan Warrner Weir, Bureau Chief Department of Human Services Springfield, Illinois 62762 100 South Grand Avenue East 3rd Floor, Harris Bldg. TTY: (217) 557-1547 (217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the emergency amendments begins on the next page.

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

CHAPTER IV: DEPARTMENT OF HUMAN SERVICES SUBCHAPTER b: ASSISTANCE PROGRAMS TITLE 89: SOCIAL SERVICES

AID TO THE AGED, BLIND OR DISABLED PART 113

SUBPART A: GENERAL PROVISIONS

Description of the Assistance Program Incorporation By Reference Section 113.1 SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Client Cooperation Section 113.9

Citizenship Residence Age 113.10 113.20 113.30

Blind 113.40

Living Arrangement Disabled 113.60

Social Security Number Institutional Status 113.70 113.80 SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Unearned Income 113.100 Section

Budgeting Unearned Income

Budgeting Unearned Income of Applicants Receiving Income On Date of 113.101 113.102

Application And/Or Date of Decision Initial Receipt of Unearned Income Termination of Unearned Income 113,103 113.104

Unearned Income In-Kind 113,105

Lump Sum Payments and Income Tax Refunds Earmarked Income 113.106 113.107

Protected Income (Repealed) Earned Income (Repealed) 113.108 113,109

Budgeting Earned Income (Repealed) Protected Income Earned Income 113.110 113.111 113.112

Exempt Unearned Income 113,113

Date Budgeting Earned Income of Applicants Receiving Income On Application And/Or Date of Decision 113,114

of

Initial Employment 113,115

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113.116	Budgeting Earned Income For Contractual Employees
113.117	Budgeting Earned Income For Non-contractual School Employees
113.118	Termination of Employment
113.120	Exempt Earned Income
113.125	Recognized Employment Expenses
113,130	Income From Work/Study/Training Programs
113,131	Earned Income From Self-Employment
113.132	Earned Income From Roomer and Boarder
113,133	Earned Income From Rental Property
113.134	Earned Income In-Kind
113.139	Payments from the Illinois Department of Children and Family Services
113.140	Assets
113.141	Exempt Assets
113.142	Asset Disregard
113.143	Deferral of Consideration of Assets
113.154	Property Transfers For Applications Filed Prior To October 1, 1989
	(Repealed)
113.155	Property Transfers For Applications Filed On Or After October 1, 1989
	(Repealed)
113.156	Court Ordered Child Support Payments of Parent/Step-Parent
113.157	Sponsors of Aliens
113.160	Assignment of Medical Support Rights

SUBPART D: PAYMENT AMOUNTS

113.156 113.157 113.160

e	5 Payment Levels for AABD	5 Personal Allowance	7 Personal Allowance Amounts	8 Shelter	9 Utilities and Heating Fuel) Laundry	1 Telephone	2 Transportation, Lunches, Special Fees	3 Allowances for Increase in SSI Benefits	4 Nursing Care or Personal Care in Home Not Subject to Licensing	5 Sheltered Care in a Licensed Group Care Facility		7 Special Allowances for Blind and Partially Sighted (Blind Only)	Home Delivered Meals	9 AABD Fuel and Utility Allowances By Area		Cases in Licensed Intermediate Care Facilities, Licensed	Nursing Facilities, DMHDD Facilities and All Other Licensed Medical	Facilities	2 Meeting the Needs of an Ineligible Dependent with Client's Income
Section	113.245	113.246	113.247	113.248	113,249	113,250	113,251	113.252	113.253	113.254	113.255	113.256	113.257	113.258	113.259	113.260	113.261			113.262

SUBPART E: OTHER PROVISIONS

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Persons Who May Be Included In the Assistance Unit

Section 113.300

113.301		Grandfathered Cases
113.302		Interim Assistance (Repealed)
113.303		Special Needs Authorizations
113.304		Retrospective Budgeting
113,305		Budgeting Schedule
113.306		Purchase and Repair of Household Furniture (Repealed)
113.307		Property Repairs and Maintenance
113.308		Excess Shelter Allowance
113.309		Limitation on Amount of AABD Assistance to Recipients from Other
ONTOTANG		States (Repealed)
112 22	1	
113.320		Redetermination of Eligibility
113.33		Attoiney's Fees ior VA Appellants (Repealed)
		SUBPART F: INTERIM ASSISTANCE
Section	u	
113.400		Description of the Interim Assistance Program
113,405		Pending SSI Application (Repealed)
113.410		More Likely Than Not Eligible for SSI (Repealed)
113.415		Non-Financial Factors of Eligibility (Repealed)
113.420		Financial Factors of Eligibility (Repealed)
113.425		Payment Levels for Chicago Interim Assistance Cases (Repealed)
113.430		Levels for all Interim Assistance Cases Outside Chicago
	(Repealed)	
113.435		Medical Eligibility (Repealed)
113.440		Attorney's Fees for SSI Applicants (Repealed)
113,445		Advocacy Program for Persons Receiving Interim Assistance (Repealed)
113.450		Limitation on Amount of Interim Assistance to Recipients from Other
	States	States (Repealed)
113.500		Attorney's Fees for SSI Appellants (Renumbered)
AUTHORITY:		Implementing Article III and authorized by Section 12-13 of the
Illinc		[305 ILCS 5/Art. III and 12-13].
SOURCE:	: Filed ef	at 2 Ill.
17, p.	117, effec	Reg. 31, p. 13
effect	ive August	effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4,
effect	ive August	effective August 30, 1978, for a maximum of 150 days; emergency expired January
28, 1979;	79; perempt	peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1,
1978;	emergency	1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979,
for a	for a maximum of	150 days; emergency amendment at 3 Ill. Reg. 28, p. 182,
effect	ive July) days; amended at 3 Ill.
р. 399	, effective	August 18, 1979; amendment
effective	ive August	Ill. Reg. 38, p. 243,
September	ber 21, 197	21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective

NOTICE OF EMERGENCY AMENDMENTS

259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective June 23, 1981; amended at 5 III. Reg. 8041, effective July 27, 1981; amended at 5 III. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 III. Reg. September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended p. 134, effective October 27, 1980; amended at 5 111. Reg. 766, effective peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective effective October 1, 1981; peremptory amendment at 5 111. Reg. 10079, effective 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by Sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1981; amended at 5 111. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 111. Reg. 11647, effective October 16, 1981; peremptory effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective 907, effective January 10, 1983; amended (by adding Sections being codified April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg.

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Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; keg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 I11. Reg. 1241; effective July 10, 1987, for a maximum of 150 days; amended at 11 I11. Reg. 20880, effective amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; III. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 1991; emergency amendment at 15 Ill. Reg. Illl, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July III. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 III. Reg. 16709, effective November 1, 1991; amended at 16 III. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. December 14, 1987; amended at 12 111. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 9669, effective May 24, 1988; emergency amendment at 12 14467, effective September 1, 1989, for a maximum of 150 days; emergency effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. emergency amendment at 10 111. Reg. 364, effective January 1, 1986; amended at effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 amendment at 13 III. Reg. 16154, effective October 2, 1989, for a maximum of at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg.

NOTICE OF EMERGENCY AMENDMENTS

14612, effective August 26, 1993; amended at 18 Ill. Reg. 2018, effective January 21, 1994; amended at 18 Ill. Reg. 7759, effective May 5, 1994; amended at 18 Ill. Reg. 12818, effective August 5, 1994; amended at 19 Ill. Reg. 1052, 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amendment at 19 Ill. Reg. 8409, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15034, effective October 17, 1995; amended at 20 amendment at 16 Ill. Reg. 14722, effective September 15, 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. effective January 26, 1995; amended at 19 Ill. Reg. 2875, effective February 24, 1995; amended at 19 Ill. Reg. 6639, effective May 5, 1995; emergency Ill. Reg. 858, effective December 29, 1995; emergency amendment at 21 Ill. Reg. 673, effective January 1, 1997, for a maximum of a 150 days; amended at 21 Ill. Reg. 7404, effective May 31, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Ref. 2 5. effective July 15, 1998; emergency amendment at 22 Ill. 1992, for a maximum of 150 days; emergency amendment at emergency

Section 113,309 Limitation on Amount of AABD Assistance to Recipients from Other States (Repealed)

Supplemental-Payment-program--during--any--of--the--twelve--months--immediately If-an-applicant-has-moved-to-Illinois-from-another-state-and-received-financial assistance--in--that-state-under-a-program-that-is-equivalent-to-the-AABD-State preceding-the-date-the-applicant-s-current-filinois-residency-begany-during-the first--twelve--months--that--the-applicant-resides-in-Illinois-the-applicant-is eligible-to-receive-massistance-in-an-amount--no--greater--than--the--amount--of comparable-assistance-received-from-the-other-state:

16348 Emergency Amendment at 22 Ill. Reg. effective September 1, 1998, for a maximum of 150 days) (Source: Repealed by

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NOTICE OF EMERGENCY AMENDMENTS

- Heading of the Part: General Assistance 1
- Code Citation: 89 Ill. Adm. Code 114 2)
- Emergency Action: Repeal Section Numbers: 114,406 3)
- Statutory Authority: Implementing Hicks v. Peters, 98 C 3247. 4)
- September 1, 1998 Effective Date of Emergency Amendments: 2)
- If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire: applicable (9
- September 1, 1998 Date filed with the Index Department: 7
- A copy of the emergency amendments, including any material incorporated by reference, are on file in the agency's principal office and is available for public inspection. 8
- Reason for Emergency: The Court Order implementing the Hicks v. Peters decision requires the Department to file an Emergency Rule by September 21, 1998, to implement the decision. 6
- A Complete Description of the Subject and Issues: 10)

This provision limited new benefit level for the comparable program. This rulemaking repeals those ILCS 5/11-30 residents to Illinois to the benefit levels of their previous state for 12 months, if the previous state's benefit level was lower than Illinois' Sections of the Department's rules which implement 305 ILCS 5/11-30. found 305 Court has unconstitutional. Hicks v. Peters, 98 C 3247. District States

Companion amendments are also being proposed to 89 Ill. Adm. Code 112 and

Are there any other amendments pending on this Part? 11)

Illinois Register Citation 22 Ill. Reg. 11279 Proposed Action New Section Section Numbers

- Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate. 12)
- Information and questions regarding these amendments shall be directed to: 13)

Mrs. Susan Warrner Weir, Bureau Chief

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Bureau of Administrative Rules and Procedures Telephone number: (217) 785-9772 Department of Human Services Springfield, Illinois 62762 100 South Grand Avenue East 3rd Floor, Harris Bldg. TTY: (217) 557-1547 If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the emergency amendments begins on the next page.

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

CHAPTER IV: DEPARTMENT OF HUMAN SERVICES SUBCHAPTER a: GENERAL PROGRAM PROVISIONS TITLE 89: SOCIAL SERVICES

GENERAL ASSISTANCE PART 114

SUBPART A: GENERAL PROVISIONS

Advocacy Program for Persons Receiving State Transitional Assistance

Description of the Assistance Program

Section

114.2 114.3 114.5

114.1

Determination of Not Employable

Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Individuals Exempt From Work Registration Requirements (Outside City Job Service Registration (Outside City of Chicago only) Failure to Maintain Current Job Service Registration (Outside City of Downstate General Assistance - Food Stamps Employment and Training Project Chance Participation/Cooperation Requirements (Renumbered) Responsibility to Seek Employment (Outside City of Chicago only) Work Registration Requirements (Outside City of Chicago only) Initial Employment Expenses (Outside City of Chicago only) Downstate General Assistance Work and Training Programs Persons Ineligible for TANF Due to Time Limits General Assistance Jobs Program (Repealed) Social Security Numbers Client Cooperation Living Arrangement of Chicago only) Pilot Project Chicago only) Relationship Citizenship Residence Section 114.100 114.10 114.52 114.101 114.50 114.60 114.61 114.80 114.85 114.20 114.30 114.40 114.62 114.63 114.70 114.64 114.9

SUBPART C: PROJECT ADVANCE

Section

Project Advance Participation Requirements of Adjudicated Fathers Project Advance Cooperation Requirements of Adjudicated Fathers Project Advance (Repealed) (Repealed) (Repealed) 114.108 114.109 114.110

NOTICE OF EMERGENCY AMENDMENTS

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	114.113 Project Advance Good Cause for Failure to Comply (Repealed)	•	
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114.111 FIGJect Bayance Sanctions (Nepeared)	Good Cause	114.115 Individuals Exempt From Project Advance (Repealed)	114 117 Droiect Advance Supportive Services (Repealed)
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rio Jecr	Project	Individ	Droject
777.77	114.113	114.115	711 117

Section	the state of the s
114.120	Employment and Training Requirements
114.121	Persons Required to Participate in Project Chance (Repealed)
114.122	Advocacy Program for Persons Who Have Applied for Supplemental
	Security Income (SSI) Under Title XVI of the Social Security Act
	(Repealed)
114.123	Persons in Need of Work Rehabilitative Services (WRS) to Become
	Employable (Repealed)
114.124	Employment and Training Participation/Cooperation Requirements
	(Repealed)
114.125	Employment and Training Program Orientation (Repealed)
114.126	Employment and Training Program Full Assessment Process/Development
	of an Employment Plan (Repealed)
114.127	Employment and Training Program Components (Repealed)
114.128	Employment and Training Sanctions (Repealed)
114.129	Good Cause For Failure to Cooperate With Work and Training
	Participation Requirements (Repealed)
114.130	Employment and Training Supportive Services (Repealed)
114.135	Conciliation and Fair Hearings (Repealed)
114.140	Employment Child Care (Repealed)

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

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ion 200 201 202	203	220	221 222 223	224 225 226	227
Section 114.200 114.201 114.202	114.203	114.210	114.221 114.222 114.223	114.224 114.225 114.226	114.227

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NOTICE OF EMERGENCY AMENDMENTS

1 Project Advance Sanctions (Repealed)	114.229	Termination of Employment
3 Project Advance Good Cause for Failure to Comply (Repealed)	114.230	Exempt Earned Income
Individuals Exempt From Project Advance (Repealed)	114.235	Recognized Employment Expenses
7 Project Advance Supportive Services (Repealed)	114.240	Income From Work/Study/Training Program (Repealed)
	114.241	Earned Income From Self-Employment
SUBPART D: EMPLOYMENT AND TRAINING REQUIREMENTS	114.242	Earned Income From Roomer and Boarder
	114.243	Earned Income From Rental Property
c	114.244	Earned Income In-Kind
D Employment and Training Requirements	114.245	Payments from the Illinois Department of Children and Family Services
l Persons Required to Participate in Project Chance (Repealed)	114.246	Budgeting Earned Income For Contractual Employees
2 Advocacy Program for Persons Who Have Applied for Supplemental	114.247	Budgeting Earned Income For Non-contractual School Employees
Security Income (SSI) Under Title XVI of the Social Security Act	114.250	Assets
(Repealed)	114.251	Exempt Assets
3 Persons in Need of Work Rehabilitative Services (WRS) to Become	114.252	Asset Disregards
Employable (Repealed)	114.260	Deferral of Consideration of Assets (Repealed)
1 Employment and Training Participation/Cooperation Requirements	114.270	Property Transfers (Repealed)
(Repealed)	114.280	Supplemental Payments
5 Employment and Training Program Orientation (Repealed)		
5 Employment and Training Program Full Assessment Process/Development		SUBPART F: PAYMENT AMOUNTS
of an Employment Plan (Repealed)		
7 Employment and Training Program Components (Repealed)	Section	
Bmployment and Training Sanctions (Repealed)	114.350	Payment Levels
9 Good Cause For Failure to Cooperate With Work and Training	114.351	Payment Levels in Group I Counties
Participation Requirements (Repealed)	114.352	Payment Levels in Group II Counties
Description of Training Supportive Services (Repealed)	114.353	Payment Levels in Group III Counties
S Conciliation and Fair Hearings (Repealed)		
) Employment Child Care (Repealed)		SUBPART G: OTHER PROVISIONS

Section

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						from			Income	
Unit						Limitation on Amount of General Assistance to Recipients from			Extension of Medical Assistance Due to Increased Income	
ance						e to			to	
Persons Who May Be Included In the Assistance Unit		Special Needs Authorizations (Repealed)				istanc			Due	
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114.400	114.401	114.402	114.403	114.404	114.405	114.406	MERGENCY Other States (Repealed)	114.420 Redetermination of Eligibility	114.430	
F	11	7	7	7	7	7	圙	7	7	

SUBPART H: CHILD CARE

Attorney's Fees for VA Appellants Attorney's Fees for SSI Applicants

114.440

		(Repealed)
	(Repealed)	Eligibility
	Care	Care
	Child	Child
Section	114.450	114.452

NOTICE OF EMERGENCY AMENDMENTS

114.454	114.454 Qualified Provider (Repealed)
114.456	Notification of Available Services (Repealed)
114.458	Participant Rights and Responsibilities (Repealed)
114.462	Additional Service to Secure or Maintain Child Care Arrangements
	(Repealed)
114.464	Rates of Payment for Child Care (Repealed)
114.466	114.466 Method of Providing Child Care (Repealed)

SUBPART I: TRANSITIONAL CHILD CARE

	0 Transitional Child Care Eligibility (Repealed)				Notification of Available Services (Repealed)					
Section	114.500	114.504	114.506	114.508	114.510	114.512	114.514	114.516	114.518	

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].

Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 150 days; amended at 3 Ill. Reg. 33,

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NOTICE OF EMERGENCY AMENDMENTS

111. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 111. Reg. 8115, effective July 1, 1982; amended at 6 111. Reg. 8142, effective effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 111. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 111. Reg. 6475, effective May 18, 1982; peremptory July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 III. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 111, Reg. 8106, effective August 1, 1981; peremptory amendment at 5 111. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg, 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. Sections being codified with no substantive change) at 7 Ill. Reg. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg.

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; emergency amendment at 13 Ill. Reg. 16169, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16015, effective Reg. 6360, effective April 16, 1990; amended at 14 III. Reg. 10929, effective June 20, 1990; amended at 14 III. Reg. 13215, effective August 6, 1990; amended 14162, effective August 17, 1990; amended at 14 Ill. Reg. 17111, effective September 30, 1990; amended at 15 Ill. Reg. 288, effective January 1, 1991; amended at 15 Ill. Reg. 5710, effective April 10, 1991; amended at 15 Ill. Reg. effective March 10, 1992, for a maximum of 150 days; emergency amendment at 16 III. Reg. 11662, effective July 1, 1992, for a maximum of 150 days; amended at amendment at 16 Ill. Reg. 14769, effective September 15, 1992, for a maximum of for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17772, effective November 13, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18815, effective November 24, 1992; amended at 17 Ill. Reg. 1091, effective January effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 1111. Reg. 2307, effective January 16, 1987; amended at effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective amended at 11 111. Reg. 18689, effective November 1, 1987; emergency amendment at 11 111. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E recodified to SUBPARTS E, F and G at 12 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amendment at 12 111. Reg. 16729, effective September 30, 1988; October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, at 11 111. Reg. 18311, effective November 1, 1987, for a maximum of 150 days; amended at 11 111. Reg. 20129, effective December 4, 1987; amended at 11 111. Ill. Reg. 2147; Section 114.110 recodified to Section 114.52 at 12 Ill. Reg. 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. at 14 Ill. Reg. 13777, effective August 10, 1990; amended at 14 Ill. Reg. 11164, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 15144, effective October 7, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 16 Ill. Reg. 13297, effective August 15, 1992; emergency amendment at 16 Ill. Reg. 13651, effective September 1, 1992, for a maximum 150 days; emergency 150 days; emergency amendment at 16 Ill. Reg. 16276, effective October 1, 1992, 111. Req. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, 3512, effective February 20, 1992; emergency amendment at 16 Ill. Reg. 4540, amended at 14 Ill. Reg. 3640, effective February 23, 1990; amended at

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NOTICE OF EMERGENCY AMENDMENTS

effective August 5, 1994; emergency amendment at 19 Ill. Reg. 8434, effective effective October 17, 1995; emergency amendment at 20 Ill. Reg. 4445, effective February 28, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 9970, effective July 10, 1996; emergency amendment at $21\ \ Ill.$ Reg. 682, effective effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8652, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at rulemaking at 22 Ill. Reg. 16 9 6 ., effective September 1, 1998, for a 1993; amended at 17 Ill. Reg. 6814, effective April 21, 1993; emergency amendment at 17 Ill. Reg. 19728, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3436, effective February 28, 1994; amended at 18 Ill. Reg. 7390, effective April 29, 1994; amended at 18 Ill. Reg. 12839, June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15058, January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7413, 15, 1993; amended at 17 III. Reg. 2277, effective February 15, 1993; amended at 17 III. Reg. 3255, effective March 1, 1993; amended at 17 III. Reg. 3639, effective February 26, 1993; amended at 17 III. Reg. 3255, effective March 1, 21 Ill. Reg. 15545, effective November 26, 1997; amended by maximum of 150 days.

SUBPART G: OTHER PROVISIONS

Section 114.406 Limitation on Amount of General Assistance to Recipients from Other States (Repealed)
PARRICENCY

if-an--appitcant--has--moved--to--illinois--from--another--state--and--received assistance--in--that--state--under--a-program-that-is-equivalent-to-the-General Assistance-program-during-any-of-the-twelve-months--immediately--preceding--the edute--the-rapplicant-s--current--illinois--residency--beany--the-applicant-s--current--illinois--residency--beany--the--applicant-is-comparable-to-receive-assistance-in-an-amount--no--greate--than--the--amount--of-comparable-assistance-received-from-the--other-state-for-the-first-tweive-months-of-residency-in-Illinois-

(Source: Repealed by Emergency Amendment at 22 Ill. Reg. 16358^{-} , effective September 1, 1998, for a maximum of 150 days)

16365

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- Temporary Assistance for Needy Families Heading of the Part:
- Code Citation: 89 Ill. Adm. Code 112
- 2)
- Emergency Action: Repeal Section Numbers:

3)

- Statutory Authority: Implementing Hicks v. Peters, 98 C 3247. 4)
- September 1, 1998 Effective Date of Emergency Amendments: 5)
- 150-day period, please specify the date on which they are to expire: Not If these emergency amendments are to expire before the end of the applicable (9
- Date filed with the Index Department: September 1, 1998 7)
- A copy of the emergency amendments, including any material incorporated by reference, are on file in the agency's principal office and is available for public inspection. 8
- The Court Order implementing the Hicks v. Peters decision requires the Department to file an Emergency Rule by September 21, 1998, to implement the decision. Reason for Emergency: 6
- $\overline{\text{Peters}}$, 98 C 3247. This provision limited new residents to Illinois to the benefit levels of their previous state for 12 months, if the previous state's benefit level was lower than Illinois' benefit level for the comparable program. This rulemaking repeals those Sections of the A Complete Description of the Subject and Issues: A United States District Court has found 305 ILCS 5/11-30 unconstitutional. Hicks v. comparable program. This rulemaking repeals those Department's rules which implement 305 ILCS 5/11-30. 10)

Companion amendments are also being proposed to 89 Ill. Adm. Code 113 and

Yes 11) Are there any other amendments pending on this Part:

Section Numbers	Proposed Action	Illinois Register Citation
112.1	Amendment	22 Ill. Reg. 13286
112.9	Amendment	22 Ill. Reg. 13286
112.52	Amendment	Reg.
112.70	Amendment	
112.72	Amendment	22 Ill. Reg. 13286
112.74	Amendment	22 Ill. Reg. 13286
112.78	Amendment	22 Ill. Reg. 13286
112.79	Amendment	22 Ill. Reg. 13286

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22 Ill. Reg. 13286	22 Ill. Reg. 10987	22 Ill. Reg. 9102	22 Ill. Reg. 11683
Amendment	Amendment	Amendment	New Section
112.80	112.110	112.305	112.310

Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate. 12)

Information and questions regarding these amendments shall be directed to:

13)

Bureau of Administrative Rules and Procedures Mrs. Susan Warrner Weir, Bureau Chief Telephone number: (217) 785-9772 Department of Human Services 3rd Floor, Harris Bldg. Springfield, Illinois 62762 100 South Grand Avenue East TTY: (217) 557-1547 If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the emergency amendments begins on the next page:

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ILLINOIS REGISTER 16368	DEPARTMENT OF HUMAN SERVICES	NOTICE OF EMERGENCY AMENDMENTS			Work Experience Evaluation Project (Repealed) Four Year College/Vocational Training Demonstration Project (Repealed)	SUBPART E: PROJECT ADVANCE	Project	Project Advance Experimental and Project Advance Participation	Members and Adjudicated Fathers Project Advance Cooperation	Members and Adjudicated Fathers (Repealed) Project Advance Sanctions (Repealed)		individuais Exempt From Project Advance (Repealed) Project Advance Supportive Services (Repealed)	SUBPART F: EXCHANGE PROGRAM		Exchange Program (Repealed)	SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY	u	Unearned Income	1 Unearned Income of Stepparent or Parent 5 Budgeting Thearned Income		Application And/Or Date Of Decision	/ Initial Receipt of Unearmed Income 8 Termination of Unearmed Income	0 Exempt Unearned Income 5 Education Benefits				/ bump-sum rayments 8 Protected Income (Repealed)		1 Earned Income Tax Credit
			112.78	112.81	112.84		Section 112.86	112.87	112.89	112.90	112.91	112.95		Section	112.98		Section	112.100	112.101	112.106		112.108	112.110	112.120	112,125	112.126	112.128	112.130	112.131
ILLINOIS REGISTER 16367 98	DEPARTMENT OF HUMAN SERVICES	NOTICE OF EMERGENCY AMENDMENTS	TITLE 89: SOCIAL SERVICES CHAPTER IV: DEPARTMENT OF HUMAN SERVICES SUBCHAPTER a: GENERAL PROCRAM PROVISIONS	PART 112 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES	SUBPART A: GENERAL PROVISIONS	Section 112.1 Description of the Assistance Program 112.5 Incorporation by Reference	SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY	uo		112.10 Citizenship 112.20 Residence		112.40 Kelationship 112.50 Living Arrangement		112.60 basis of Eligibility 112.61 Death of a Parent (Repealed)			112.66 Alcohol and Substance Abuse Treatment		112.68 School Attendance Initiative		SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS	Section	112.70 Employment and Work Activity Requirements	Requirements		112.73 Adolescent Parent Program (Repealed)	112.74 Kesponsibility and Services Fran 112.75 Teen Parent Personal Responsibility Plan (Repealed)		112.77 Reconciliation and Fair Hearings

of

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

116.132	Budgeting Earned Income	112.308
112.133	Budgeting Earned Income of Employed Applicants	
112.134	Initial Employment	112,309
112.135	Budgeting Earned Income For Contractual Employees	112.315
112,136	Budgeting Earned Income For Non-Contractual School Employees	112.320
112.137	Termination of Employment	112.330
112.138	Transitional Payments (Repealed)	
112,140	Exempt Earned Income	112.331
112.141	Earned Income Exemption	
112.142	Exclusion From Earned Income Exemption	112,332
112.143	Recognized Employment Expenses	
112.144	Income from Work-Study and Training Programs	112.340
112.145	Earned Income From Self-Employment	
112,146	Earned Income From Roomer and Boarder	
112,147	Income From Rental Property	
112.148	Payments from the Illinois Department of Children and Family Services	
112,149	Earned Income In-Kind	Section
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112,151	Exempt Assets	112.352
112,152	Asset Disregards	112.354

SUBPART H: PAYMENT AMOUNTS

Deferral of Consideration of Assets Property Transfers (Repealed)

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112.153 112.154 112.155

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112.252	Payment Levels in Group I Counties
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EMERGENCY	

SUBPART I: OTHER PROVISIONS

Section	
112.300	Persons Who May Be Included in the Assistance Unit
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112.302	Reporting Requirements for Clients with Earnings
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112,304	Budgeting Schedule
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112,306	Foster Care Program
112.307	Responsibility of Sponsors of Non-Citizens Entering the County Prior
	to 8/22/96

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

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Responsibility of Sponsors of Non-Citizens Entering the Country on or After 8/22/96				Increased	to		of		from										Service to Secure or Maintain Child Care Arrangements					
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S O		Young Parent Program (Renumbered)	Redetermination of Eligibility	Assistance	Four Month Extension of Medical		Assistance		to Individuals	Corrections Facilities (Repealed)	,	SUBPART J:			Child Care Eligibility (Repealed)	Qualified Provider (Repealed)	Se	Spoi	Seci		Rates of Payment for Child Care (Repealed)	Method of Providing Child Care (Repealed)	ain	
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112.308	112.309	112.315	112.320	112.330	112.331		112.332		112.340				Section	112.350	112.352	112.354	112,356	112.358	112.362		112.364	112,366	112.370	
112	112	112	112	112	112		112		112				Sec	112	112	112	112	112	112		112	112	112	

Section 112.400 Trar 112.400 Dura 112.406 Loss 112.410 Noti 112.410 Noti 112.414 Chill 112.414 Chill 112.414 Chill 112.414 Rate	112.3/0 Non-JOBS Education and Training Frogram (Repeated) SUBPART K: TRANSITIONAL CHILD CARE		Transitional Child Care Eligibility (Repealed)	Duration of Eligibility for Transitional Child Care (Repealed)	Loss of Eligibility for Transitional Child Care (Repealed)	Qualified Child Care Providers (Repealed)	Notification of Available Services (Repealed)	Participant Rights and Responsibilities (Repealed)	Child Care Overpayments and Recoveries (Repealed)	Fees for Service for Transitional Child Care (Repealed)	Rates of Payment for Transitional Child Care (Repealed)
Section 112.400 112.400 112.406 112.406 112.410 112.410 112.410 112.412	Non-JOBS		Transitio	Duration	Loss of 1	Qualified	Notifical	Participa	Child Ca	Fees for	Rates of
	112.370	Section	112.400	112.404	112.406	112.408	112.410	112.412	112.414	112.416	112.418

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Article IV and authoriz [305 ILCS 5/Art. IV and	December 30, 1977; pere February 1, 1978; ame ; emergency amendment 8, for a maximum of 150
AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].	SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 III. Reg. 8115, effective July 1, 1982; amended at 6 III. Reg. 8142, effective July 1, 1982; amended at 6 III. Reg. 8159, effective July 1, 1982; amended at 6 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 III. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 III. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 111. Reg. 7071, effective June 23, 1981; amended at 5 111. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; 10760, effective October 1, 1981; amended at 5 111. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 111. Reg. 11647, effective October amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 111. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and effective November 1, 1978; emergency amendment at 3 Ill. Reg. November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 44, effective November 1, 1978; peremptory amendment at 2 Ill. III. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended Reg. 8155, effective May 17, 1985; emergency amendment at 9 III. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 III. Reg. 11317, effective July 5, 1985; amended at 9 III. Reg. effective August 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, Reg. 8118, effective May 1, 1986; amended at 10 111. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 111. Reg. 12650, effective July 14, 1986; 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a .983; amended (by adding Sections being codified with no substantive change) at 15690, effective November 9, 1983; amended (by adding Sections being codified effective December 21, 1983; amended at 8 III. Reg. 213, effective December 27, 1983; emergency amendment at 8 III. Reg. 569, effective January 1, 1984, for a effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, 12, 1986; amended at 11 III. Reg. 2280, effective January 16, 1987; amended at 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, maximum of 150 days; amended at 8 111. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, Sections being codified with no substantive change) at 8 Ill. Reg. 17894; at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 11 111. Reg. 3140, effective January 30, 1987; amended at 11 1111. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 111. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 18, 1991; amended at 16 III. Reg. 9972, effective June 15, 1992; amended at 16 III. Reg. 11550, effective July 15, 1992; emergency amendment at 16 III. Reg. amended at 18 III. Reg. 6994, effective April 27, 1994; amended at 18 III. Reg. 8703, effective June 1, 1994; amended at 18 III. Reg. 10774, effective June 27, 1994; amended at 18 III. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective III. Reg. 6017, effective April 14, 1989; amended at 13 III. Reg. 8567, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, Reg. 20147, effective December 14, 1992; amended at 17 111. Reg. 357, effective effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 III. Reg. 15017, effective September 3, 1993; amended at 17 III. Reg. 19156, effective October 25, 1993; Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 111. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; maximum of 150 days; amended at 11 111. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. 16006, effective October 6, amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. effective May 22, 1989; amended at 13 Ill. Reg.

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 111. Reg. 2845, effective III. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 III. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; amendment at 20 Ill. Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 111. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Reg. 9322; amended at 21 Ill. Reg. 15597, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 4466, effective February 24, 1998, for a for a maximum of 150 days; amended at 22 Ill. Reg. 14420, effective amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective Reg. 15983, effective December 9, 1996; emergency amendment at 21 or a maximum of 150 days. Section 112,255 Limitation on Amount of TANF Assistance to Recipients from Other States (Repealed)

<u>#f-an-appicant-has-moved-to-filinois-from-another-state-and-received-financial</u> assistance--in--that--state--under-a-program-that-is-equivalent-to-the-Illinois <u>PANF-program-during-any-of-the-tweive-months-immediately-preceding-the-date-the</u> applicant-s-current-Illinois-residency-began,-during-the--first--tweive--months that -- the -- applicant -- resides -- in - Illinois - the -applicant - is - eligible - to - receive assistance-in-an-amount-no-greater-than-the--amount--of--comparable--assistance received-from-the-other-state:

(Source: Repealed by Emergency Amendment at 22 Ill. Reg. 6 6 6 5 effective September 1, 1998, for a maximum of 150 days)

PROPERTY TAX APPEAL BOARD

NOTICE OF MODIFICATION TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- Hearings Before the Heading of the Part: Practice and Procedure for Property Tax Appeal Board 1
- Code Citation: 86 Ill. Adm. Code 1910 5)
- Section Numbers: 3)
- Action: Modification 1910.50
- Date Notice of Proposed Rules was Published in the Illinois Register: February 20, 1998, 22 Ill. Reg. 3718 4)
- Date JCAR Statement of Objection Published in the Illinois Register: July 3, 1998, 22 Ill. Reg. 11646 2)

Summary of Action Taken by the Agency: (9

The agency has elected to amend section 1910.50(c) by reinserting the stricken language in subsections c(2) and c(2)(A); deleting the inserted language in subsection c(2); and adding subsection (3) which will read as

may consider competent evidence admitted pursuant to this Part, if any, which is relevant to the level of assessment applicable to the subject property under the Illinois Constitution, the Illinois Property Tax Code, probative evidence indicating the estimate of full market value of the subject property on the relevant assessment date is presented, the Board and the Cook County Real Property Assessment Classification Ordinance, as 3) In Cook County, for all other classes of property, where sufficient amended.

ENVIRONMENTAL PROTECTION AGENCY

ILLINOIS REGISTER

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

waterbodies for which water quality criteria have been used during the period 302.Subpart F, the following water quality This listing includes only the as listed. Adm. Code May 1, 1998 through July 31, 1998. criteria have been derived 35 Ill. to

criteria were used during subsequent three month periods were published in 18 III. Reg. 318, January 7, 1994; 18 III. Reg. 4457, March 18, 1994; 18 III. Reg. 8734, June 10, 1994; 18 III. Reg. 14166, September 9, 1994; 18 III. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7270, May 26, 1995: 19 Ill. Reg. 12527, September 1, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 12695, September 12, 1997; 21 Ill. Reg. 16193, December 12, 1997; Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality 20 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. 22 Ill. Reg. 5131, March 13, 1998; and 22 Ill. Reg. 10689, June 12, 1998. Ill. Reg.

Chronic criterion: 9.9 ug/l CAS #83-32-9 November 14, 1991 Acute criterion: 124 ug/l Date criteria derived: Applicable waterbodies: Chemical: Acenaphthene

Not used during this period.

Chronic criterion: 122 mg/l CAS #67-64-1 Date criteria derived: May 25, 1993 Acute criterion: 1,530 mg/l Applicable waterbodies: Chemical: Acetone

Not used during this period

CAS #75-05-8 Chronic criterion: 30 mg/l Date criteria derived: December 7, 1993 Acute criterion: 375 mg/l Applicable waterbodies: Chemical: Acetonitrile

Not used during this period.

Date criteria derived: November 13, 1991 Human health criterion (HNC): 0.21 ug/l Acute criterion: 910 ug/l Chemical: Acrylonitrile Applicable waterbodies:

Chronic criterion: 73 ug/l

CAS #107-13-4

Not used during this period.

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ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

CAS #120-12-7 Date criteria derived: August 18, 1993 Human health criterion (HTC): 35 mg/l Applicable waterbodies: Chemical: Anthracene

Not used during this period.

Chronic criterion: 416 ug/l CAS #71-43-2 Human health criterion (HNC): 21 ug/l Date criteria derived: August 15, 1990 Acute criterion: 5,200 ug/l Applicable waterbodies: Chemical: Benzene

Not used during this period.

Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Chemical: Benzo(a)anthracene Applicable waterbodies:

CAS #56-55-3

Not used during this period.

Human health criterion (HNC): 0.01 ug/1 Date criteria derived: August 10, 1993 Chemical: Benzo(a)pyrene Applicable waterbodies:

CAS #50-32-8

Not used during this period.

CAS # 205-99-2 Human health criterion (HNC): 0.01 ug/1 Date criteria derived: August 10, 1993 Chemical: Benzo(b)fluoranthene Applicable waterbodies:

Not used during this period.

CAS #207-08-9 Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Chemical: Benzo(k)fluoranthene Applicable waterbodies:

Not used during this period.

Chronic criterion: 280 ug/l CAS #56-23-5 Chemical: Carbon tetrachloride Acute criterion: 3,500 ug/l

ILLINOIS REGISTER

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Human health criterion (HNC): 1.4 ug/l Date criteria derived: June 18, 1993

Applicable waterbodies:

Not used during this period.

Chronic criterion: 79 ug/l CAS #108-90-7 Date criteria derived: December 11, 1991 Acute criterion: 993 ug/l Applicable waterbodies: Chemical: Chlorobenzene

Not used during this period.

Date criteria derived: October 26, 1992 Human health criterion (HNC): 130 ug/l Acute criterion: 1,870 ug/l Applicable waterbodies: Chemical: Chloroform

Chronic criterion: 150 ug/1

CAS #67-66-3

Not used during this period.

Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Chemical: Chrysene

CAS #218-01-9

Not used during this period.

Date criteria derived: December 1, 1993 Chemical: 1,2-dichlorobenzene Acute criterion: 210 ug/l Applicable waterbodies:

Chronic criterion: 16.8 ug/l

CAS #95-50-1

Not used during this period.

Date criteria derived: July 31, 1991 Chemical: 1,3-dichlorobenzene Acute criterion: 500 ug/l Applicable waterbodies:

Chronic criterion: 196 ug/l

CAS #541-73-1

Not used during this period.

Human health criterion (HNC): 23 ug/1 Date criteria derived: March 19, 1992 Chemical: 1,2-dichloroethane Acute criterion: 24,900 ug/l

CAS #107-06-2

Chronic criterion: 4,540 ug/l

ENVIRONMENTAL PROFECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies:

Not used during this period.

Chronic criterion: 242 ug/l CAS #75-35-4 Human health criterion (HNC): 0.95 ug/l Date criteria derived: March 20, 1992 Chemical: 1,1-dichloroethylene Acute criterion: 3,030 ug/l Applicable waterbodies:

Not used during this period.

Chronic criterion: 83.1 ug/l CAS #120-83-2 Date criteria derived: November 14, 1991 Chemical: 2,4-dichlorophenol Acute criterion: 631 ug/1 Applicable waterbodies:

Not used during this period.

Chronic criterion: 380 ug/1 CAS #78-87-5 Acute criterion: $4,800~\mathrm{ug/l}$ Date criteria derived: December 7, 1993 Chemical: 1,2-dichloropropane Applicable waterbodies:

Not used during this period.

Chronic criterion: 7.9 ug/l CAS #542-75-6 Date criteria derived: November 13, 1991 Chemical: 1,3-dichloropropylene Acute criterion: 99 ug/l Applicable waterbodies:

Not used during this period.

Chronic criterion: 2.3 ug/l Chemical: 4,6-dinitro-o-cresol = 2-methyl-4,6-dinitrophenol CAS #534-52-1 Date criteria derived: November 14, 1991 Acute criterion: 28.8 ug/l

Not used during this period.

Applicable waterbodies:

Chronic criterion: 4.07 ug/l CAS #51-28-5 Acute criterion: 85.3 ug/l Date criteria derived: December 1, 1993 Chemical: 2,4-dinitrophenol Applicable waterbodies:

ILLINOIS REGISTER

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chronic criterion: 153 ug/l CAS #606-20-2 Date criteria derived: February 14, 1992 Chemical: 2,6-dinitrotoluene Acute criterion: 1,910 ug/l Applicable waterbodies:

Not used during this period.

Chronic criterion: 106 ug/l CAS #85-00-7 Date criteria derived: January 30, 1996 Acute criterion: 1,330 ug/1 Applicable waterbodies: Chemical: Diquat

Not used during this period.

Chronic criterion: 17.2 ug/l Date criteria derived: August 15, 1990, revised May 17, 1991 CAS #100-41-4 Acute criterion: 216 ug/l Applicable waterbodies: Chemical: Ethylbenzene

South Fork Kent Creek Des Plaines River Des Plaines River Piles Fork Creek DuPage River Brush Creek Squaw Creek 05120114-0731/off 07120006-1045/off 07090005-0054/off 07120004-0011/off 07120004-0012/off 07120004-0017/off 07140106-0005/off CAS #206-44-0 Human health criterion (HTC): 120 ug/l Date criteria derived: August 10, 1993 Chemical: Fluoranthene

Applicable waterbodies:

Not used during this period.

CAS #118-74-1 Human health criterion (HNC): 0.00025 ug/l Chemical: Hexachlorobenzene

Date criteria derived: November 15, 1991

Applicable waterbodies:

Not used during this period.

CAS #87-68-3 Chronic criterion: 2.76 ug/l Chemical: Hexachlorobutadiene Acute criterion: 34.5 ug/l

Date criteria derived: March 23, 1992

ENVIRONMENTAL PROTECTION AGENCY

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LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies:

Not used during this period.

Chronic criterion: 30.5 ug/l CAS #67-72-1 Chemical: Hexachloroethane Acute criterion: 381 ug/l

Date criteria derived: November 15, 1991 Human health criterion (HNC): 2.9 ug/l

Applicable waterbodies:

Not used during this period.

Chemical: Isobutyl alcohol = 2-methyl-1-propanol

Chronic criterion: 34.8 mg/l CAS #78-83-1

Date criteria derived: December 1, 1993 Acute criterion: 434 mg/l

Applicable waterbodies:

Not used during this period.

Chronic criterion: 1,380 ug/1 CAS #75-09-2 Chemical: Methylene chloride

Human health criterion (HNC): 340 ug/1 Acute criterion: 17,200 ug/l

Date criteria derived: January 21, 1992 Applicable waterbodies:

Not used during this period.

Chronic criterion: 26,000 ug/l CAS #78-93-3 Date criteria derived: July 1, 1992 Acute criterion: 322,000 ug/l Chemical: Methylethylketone

Applicable waterbodies:

Not used during this period

Chronic criterion: 3.68 mg/l CAS #108-10-1 Date criteria derived: January 13, 1992 Chemical: 4-methyl-2-pentanone Acute criterion: 46 mg/l Applicable waterbodies:

Not used during this period.

Date criteria derived: November 7, 1991 Acute criterion: 670 ug/l Chemical: Naphthalene

Applicable waterbodies:

Chronic criterion: 68 ug/1

CAS #91-20-3

ILLINOIS REGISTER

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

CAS #100-01-6 Chronic criterion: 0.12 mg/l 5, 1996 Date criteria derived: May Acute criterion: 1.5 mg/l Chemical: 4-nitroaniline Applicable waterbodies:

Not used during this period.

CAS #98-95-3 Chronic criterion: 4.67 mg/l Acute criterion: 15.4 mg/l Chemical: Nitrobenzene

Human health criterion (HTC): 0.52 mg/l Date criteria derived: February 14, 1992

Applicable waterbodies:

Not used during this period

Chemical: Pentachlorophenol

Chronic criterion: 13 ug/l Date criteria derived: national criterion, September 1986 Acute criterion: 20 ug/l

Applicable waterbodies:

Not used during this period.

CAS #85-01-8 Chronic criterion: 3.7 ug/l Chemical: Phenanthrene

Date criteria derived: October 26, 1992 Acute criterion: 46 ug/l

Applicable waterbodies:

Not used during this period.

Human health criterion (HTC): 3,500 ug/l Chemical: Pyrene

CAS #120-00-0

Date criteria derived: December 22, 1992 Applicable waterbodies:

Not used during this period.

CAS #127-18-4 Chronic criterion: 152 ug/l Chemical: Tetrachloroethylene Acute criterion: 1,220 ug/l

Date criteria derived: March 23, 1992 Applicable waterbodies:

Not used during this period.

ENVIRONMENTAL PROTECTION AGENCY

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LISTING OF DERIVED WATER QUALITY CRITERIA

Chronic criterion: 17,300 ug/1 CAS #109-99-9 Date criteria derived: March 16, 1992 Acute criterion: 216,000 ug/l Chemical: Tetrahydrofuran Applicable waterbodies:

Not used during this period.

Chronic criterion: 646 ug/l Date criteria derived: August 16, 1990, revised May 17, 1991 and CAS #108-88-3 Acute criterion: 8,080 ug/l Applicable waterbodies: Chemical: Toluene January 26, 1993

South Fork Kent Creek Des Plaines River Des Plaines River Piles Fork Creek DuPage River Brush Creek Squaw Creek 07120004-0012/off 05120114-0731/off 07090005-0054/off 07120004-0011/off 07120004-0017/off 07120006-1045/off 07140106-0005/off

Chronic criterion: 69.2 ug/l CAS #120-82-1 Date criteria derived: December 14, 1993 Chemical: 1,2,4-trichlorobenzene Acute criterion: 353 ug/l Applicable waterbodies:

Not used during this period.

Chronic criterion: 393 ug/1 CAS #71-55-6 Date criteria derived: October 26, 1992 Chemical: 1,1,1-trichloroethane Acute criterion: 4,910 ug/1 Applicable waterbodies:

Not used during this period.

CAS #79-00-5 Chronic criterion: 3,540 ug/l Date criteria derived: December 13, 1993 Human health criterion (HNC): 12 ug/l Chemical: 1,1,2-trichloroethane Acute criterion: 19,000 ug/l Applicable waterbodies:

Not used during this period.

Chronic criterion: 940 ug/l CAS #79-01-6 Acute criterion: 11,700 ug/l Date criteria derived: October 23, 1992 Chemical: Trichloroethylene

ILLINOIS REGISTER

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies:

Not used during this period.

Chronic criterion: 117 ug/l CAS # 1330-20-7 Date criteria derived: August 23, 1990 Acute criterion: 1,500 ug/l Applicable waterbodies: Chemical: Xylenes

South Fork Kent Creek Des Plaines River Brush Creek 05120114-0731/off 07090005-0054/off 07120004-0011/off

Des Plaines River DuPage River Squaw Creek 07120004-0012/off 07120004-0017/off 07120006-1045/off

Piles Fork Creek

07140106-0005/off

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Illinois Environmental Protection Agency Division of Water Pollution Control Post Office Box 19276 Springfield, Illinois 62794-9276 1021 North Grand Avenue East 217/782-3362 Bob Mosher

JOINT COMMITTEE ON ADMINISTRATIVE RULES ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706. 1998 and have been scheduled for review by the Committee at its September 22, 1998 meeting in Chicago. Other items not contained in this published list may The following second notices were received by the Joint Committee on Administrative Rules during the period of August 25, 1998 through August 31,

JCAR Meeting	9/22/98	9/22/98	9/22/98	9/22/98	9/22/98	9/22/98	9/22/98	9/22/98
Start Of First Notice	1/2/98 22 Ill Reg 95	6/26/98 22 Ill Reg 10961	6/26/98 22 Ill Reg 10983	6/26/98 22 Ill Reg 10969	3/27/98 22 Ill Reg 5797	4/17/98 22 Ill Reg 6882	10/17/97 21 I11 Reg 13697	7/10/98 22 Ill Reg 11695
Agency and Rule	Department of Human Services, Office of Inspector General Investigations of Alleged Abuse or Neglect and Deaths in State-Operated and Community Agency Facilities (59 Ill Adm Code 50)	<pre>Department of Human Services, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)</pre>	Department of Human Services, Related Program Provisions (89 Ill Adm Code 117)	Department of Human Services, Collections and Recoveries (89 Ill Adm Code 165)	Department of Public Health, Grade A Pasteu- rized Milk and Milk Products (77 Ill Adm Code 775)	Department of Revenue, Income Tax (86 Ill Adm Code 100)	State Board of Elections, Registration of Voters (26 Ill Adm Code 216)	Secretary of State, Standard Procurement (44 Ill Adm Code 2000)
Second Notice Expires	10/8/98	10/8/98	10/8/98	10/8/98	86/6/01	10/10/98	10/10/98	10/11/98

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JOINT COMMITTEE ON ADMINISTRATIVE RULES ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

9/22/98	9/22/6	9/22/98
6/26/98 22 Ill Reg 11005	5/15/98 22 Ill Reg 8368	10/17/97 21 Ill Reg 13763
Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	Department of Public Health, Newborn Meta- bolic Screening and Treatment Code (77 Ill Adm Code 661)	Department of Public Health, Food Service Sanitation Code (77 Ill Adm Code 750)
10/11/98	10/11/98	10/11/98

PROCLAMATIONS

NATHAN CURTIS DAY

Whereas, Nathan has served the troop as both assistant senior patrol leader and senior patrol leader, and was named the troop's outstanding scout in Whereas, Nathan Curtis is a member of Boy Scout Troop 29 in Evanston; and 1996; and

Whereas, Nathan is a musician and water polo player at Evanston Township Whereas, Boy Scouts advance through the ranks by fulfilling requirements High School and will attend the University of Vermont in the fall; and

in the areas of leadership, service and outdoor skills; and

Whereas, the Scout Motto is "Be prepared;" and

Class, First Scouting is a commendable activity that has noble goals citizenship training, character development and personal fitness; and Whereas, to advance through the ranks of Tenderfoot, Second

Class, Star, Life, Eagle, a Boy Scout has to pass tests that include skill awards and merit badges; and

Whereas, the Eagle Scout rank is the highest advancement rank in Scouting;

Whereas, Eagle Scouts serve as role models for other boys in the troop and Whereas, only 2.5 percent of all Boy Scouts will earn the Eagle Award; and expected to behave as Eagle Scouts for the rest of their lives; and are

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 1998, as NATHAN CURTIS DAY in Illinois in honor of this admirable Whereas, Nathan Curtis will earn the Eagle Award on June 13, 1998; 13,

Filed by the Secretary of State June 12, 1998. Issued by the Governor June 10, 1998. achievement.

WILLIAM GRAHAM DAY

Whereas, William Graham is a member of Boy Scout Troop 29 in Evanston; and Whereas, William is a long-time member of the troop who has held a number of senior leadership positions; and

Whereas, William is a musician and tennis player at Evanston Township High School and will attend Davidson College in the fall; and

Whereas, Boy Scouts advance through the ranks by fulfilling requirements in the areas of leadership, service and outdoor skills; and

Whereas, the Scout Motto is "Be prepared;" and

has noble goals citizenship training, character development and personal fitness; and Whereas, Scouting is a commendable activity that

to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, Eagle, a Boy Scout has to pass tests that include awards and merit badges; and Whereas,

Whereas, the Eagle Scout rank is the highest advancement rank in Scouting;

Whereas, only 2.5 percent of all Boy Scouts will earn the Eagle Award; and Whereas, Eagle Scouts serve as role models for other boys in the troop and are expected to behave as Eagle Scouts for the rest of their lives; and

ILLINOIS REGISTER

PROCLAMATIONS

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 13, 1998, as WILLIAM GRAHAM DAY in Illinois in honor of this admirable Whereas, William Graham will earn the Eagle Award on June 13, 1998;

Issued by the Governor June 10, 1998.

Filed by the Secretary of State June 12, 1998.

SENATOR ARTHUR BERMAN DAY

Ben-Gurion University will be celebrating its first Gala Tribute Dinner at Four Seasons Hotel in Chicago on June 15, 1998; and Whereas,

Whereas, the President of Ben-Gurion University and other dignitaries from Israel and the United States will recognize past and present major donors to the state of Israel; and

Whereas, Ben-Gurion University, located in the Negev Desert in Israel's southern region, was established in 1969 to spearhead growth throughout the region. The University has since developed into an important center for teaching and research and has become a catalyst for the region's social and economic growth; and

Whereas, Senator Arthur Berman is being honored by Ben-Gurion University for his important contributions and leadership towards Israel; and

Whereas, Senator Arthur Berman has shown great leadership to help build Whereas, Senator Arthur Berman has been very active with education legislation throughout his time in the legislature; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 15, 1998, as SENATOR ARTHUR BERMAN DAY in Illinois. the state of Israel;

Filed by the Secretary of State June 12, 1998. Issued by the Governor June 11, 1998.

SENATOR HOWARD CARROLL DAY

Whereas, Ben-Gurion University will be celebrating its first Gala Tribute Dinner at Four Seasons Hotel in Chicago on June 15, 1998; and

Israel and the United States will recognize past and present major donors to Whereas, the President of Ben-Gurion University and other dignitaries from the state of Israel; and

Whereas, Ben-Gurion University, located in the Negev Desert in Israel's The University has since developed into an important center for teaching and research and has become a catalyst for the region's social and growth throughout southern region, was established in 1969 to spearhead economic growth; and

Whereas, Senator Howard Carroll is being honored by Ben-Gurion University for his important contributions and leadership towards Israel; and

Whereas, Senator Howard Carroll has been very active with health

legislation throughout his time in the legislature; and Whereas, Senator Howard Carroll has shown great leadership to help build the state of Israel;

PROCLAMATIONS

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 15, 1998, as SENATOR HOWARD CARROLL DAY in Illinois.

Filed by the Secretary of State June 12, 1998. Issued by the Governor June 11, 1998.

98-365

JOHN AND EDNA SHIPLEY DAY

Whereas, John A. (Jack) Shipley, son of John, Sr. and Flora Shipley, was born on January 14, 1903 and Edna E. McFadden, daughter of Jessie and Charles McFadden, was born on October 8, 1905; and

Whereas, John Shipley and Edna McFadden were married on June 14, 1923, in Ottumwa, Iowa and later moved to Moline, Illinois in 1946, after John was transferred by John Deere and Company. The couple continues to reside there Whereas, John and Edna have four children, Howard Eugene "Gene", who taught in the Moline School District; Ronald, who followed in his father's footsteps and worked for John Deere and Company; Allen, who lost his life while serving in the Korean War; and Joy, who kept busy raising her children. also have nine grandchildren and sixteen great-grandchildren; and

forty-six years, John has enjoyed spending time with his grandchildren, and he Whereas, after retiring from John Deere and Company in 1966, after played golf up to the age of ninety, where he almost shot his age a few times; Whereas, Edna enjoys spending time tending to her garden in the spring and summer, she continues to play her organ, and according to her grandchildren, Edna still makes the best sugar cookies in Illinois; and

Whereas, as John continues to walk daily and attribute his longevity to exercise, a well balanced diet, and following a daily regimen, Edna attributes

Whereas, John and Edna will be guests of honor at a party held by family their longevity as a couple to begin a good "listener"; and

Whereas, on June 14, 1998, John and Edna Shipley will celebrate their 75th and friends on June 13, 1998; and Wedding Anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 14, 1998, as JOHN AND EDNA SHIPLEY DAY in honor of their seventy-five years

Issued by the Governor June 12, 1998. together.

Filed by the Secretary of State June 19, 1998.

JOANNE PERKINS DAY

Whereas, in June 1991, Joanne Perkins was appointed as the first woman to hold the position of Deputy Director of the Juvenile Division for the Illinois Department of Corrections, overseeing the operations of the Illinois youth centers and juvenile field services; and

Whereas, Deputy Director Perkins oversaw the planning, construction and

opening of Illinois' first juvenile boot camp; and Whereas, in July of 1981, she began a ten year career as Superintendent of

ILLINOIS REGISTER

PROCLAMATIONS

only juvenile facility for females and the only coed juvenile facility; and Whereas, she was appointed to serve as a Commissioner on the Illinois the Illinois Youth Center at Warrenville for the Department of Corrections, the

Juvenile Justice Commission; and

of the American Correctional Association, the National Association of Juvenile Correctional Agencies, the Juvenile Justice Resource Center, and the Council of Whereas, Ms. Perkins is active nationally in juvenile issues as a member Juvenile Correctional Administrators; and

Whereas, she has decades of experience in the fields of adolescent mental

health and education; and

of thousands of children and has taken a personal interest in providing choices Whereas, Ms. Perkins has devoted her career to improving the lives Whereas, Ms. Perkins serves as a role model for the countless number and opportunities for young children faced with challenging situations; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June youths who have been in contact with her;

25, 1998, as JOANNE PERKINS DAY in Illinois in honor and recognition of her many contributions to the citizens of this State.

Filed by the Secretary of State June 26, 1998. Issued by the Governor June 24, 1998.

PARK GABLES APARTMENT HOMES DAY

Whereas, the Park Gables Apartment Homes, Inc. was built in 1928 and was one of the first cooperative apartment buildings in Chicago; and

sports facilities and one of the first private owned indoor swimming pools in Whereas, the Park Gables is a 72 unit complex with gardens, Chicago; the luxurious pool is an Italian Pompeian style; and

Whereas, architecturally, the Park Gables is distinguished by its half-timbered gables, its rich brown brick and stone construction and by its

formal English landscaping; and Whereas, the Park Gables Apartment Homes is located in the West Ridge-West Rogers Park area, adjacent to the 13 acre Indian Boundary Park, which includes

Whereas, the Park Gables' owners have received several awards including 'Chicago Beautiful Award" for efforts to beautify Chicago in 1967 and 1978; and a zoo, duck pool and an excellent playground; and

Whereas, life long resident of the Park Gables Apartment Homes Phil Hodapp Whereas, President of the Board of Directors, Homer Askounis and the Park was the recipient of thr "Chicagoland's Tremendous Tree Award" for nominating the Park Gables Lombardy Black Popular tree, Arbor Day, April 26, 1996; and

Gables social chairperson Margy Matthews announce that residents and friends of the Park Gables Apartment Homes will celebrate its 70th anniversary on June 28, 1998, with a "Roaring 20's Theme" at their annual picnic;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 28, 1998, as PARK GABLES APARTMENT HOMES DAY in Illinois.

Filed by the Secretary of State June 26, 1998. Issued by the Governor June 24, 1998.

September 11, 1998

during the period from August 7 (Issue 32, 1998) through October 9, 1998 (Issue 41) are listed

jnatale@ccgate.sos.st.	jnatale@ccgate.sos.state.il.us (Internet address).		
PROPOSED	89-112-37	44-540R-37	92-1740R-37
8-20-36	89-113-36,37	44-1150-35	
8-40-36	89-114-36,37	44-1300-34	EMERGENCY
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SECRETARY OF STATE
INDEX DEPARTMENT
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